THE ISLAND REGULATORY AND APPEALS COMMISSION

LAND

PETROLEUM

UTILITIES

RENT

ANNUAL REPORT 1999-00

101-00638/

Island Regulatory & Appeals Commission Report

For the Year Ending 31 March 2000

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THE ISLAND
REGULATORY
AND APPEALS
COMMISSION

To:
The Honourable Jeffery Lantz
Minister of Education
Province of Prince Edward Island

Sir:
The Island Regulatory and Appeals Commission has the honour to present its Annual Report for the year ended March 31, 2000.

Respectfully submitted,

Wayne D. Cheverie, Q.C.
Chair

Administration Report

Commission Personnel
(as of March 31, 2000)

Chair and Chief Executive Officer - Wayne D. Cheverie, Q.C.

Vice-Chair - Stirling (Ginger) Breedon

Commissioners:
- Mary Burge
- James Carragher
- Norman Gallant
- Arthur Hudson
- Elizabeth MacDonald
- Weston Rose

Staff Positions

Administration:

Manager, Administrative Services	- Eileen Callaghan
Commission Administrator	- Diane Gaudet
Receptionists	- Kay Ross (Mornings)
	- Ella Adams (Afternoons)

Land and Property Division:

Director	- Chris Jones
Senior Land Officer	- Sandy Foy
Land Officer (Acting)	- Laura Bisaillon
Secretary	- Barbara Molinaro

Petroleum Division:

Director	- H. Doris Pursey
Assistant	- Harry MacDonald
Secretary	- Faye Weeks

Rental Division:

Director	- Twila Whalen
Rental Officer	- Shayne Hogan
Rental Officer	- John Keizer
Secretary	- Kay Driscoll

Technical Services Division:

Director	- Donald G. Sutherland
Systems Specialist	- Daniel Arsenault
Technical Assistant	- Donna Chandler

Introduction

The Island Regulatory and Appeals Commission is established by the *Island Regulatory and Appeals Commission Act*, R.S.P.E.I. 1988 Cap. I-II.

The principal *Acts* under the administration of the Commission are:

Lands Protection Act

Rental of Residential Property Act

Petroleum Products Act

Electric Power and Telephone Act

Water and Sewerage Act

Maritime Electric Company Limited Regulation Act

In addition to administering these *Acts*, the Commission's responsibilities include appellate responsibilities under the *Planning Act*, the *Unsightly Property Act*, the *Revenue Administration Act* (appeals on taxation under the *Gasoline Tax Act*, the *Health Tax Act*, the *Revenue Tax Act*, and the *Environment Tax Act*), the *Real Property Assessment Act*, the *Real Property Tax Act*, the *Roads Act* and the *Heritage Places Protection Act*. The Commission has responsibility under the *Municipalities Act* for conducting public hearings and making recommendations to the Minister on municipal boundary extension applications. The Commission also issues permits for the movement of buildings.

Chair's Comments

The activity of the Commission as reflected in the reports of the various divisions which are detailed in the pages following, clearly indicate the variety, and, in some cases, the complexity, of the various matters with which the Commission is charged by statute to administer and regulate. With the passage of time, the areas become more and more refined both from the point of view of staff who deal with the various sectors on a daily basis, and from the point of view of the public who seek redress, explanation or action with respect to any one of the various subject matters dealt with by the Commission.

As I have indicated in previous reports, the work and significant contribution made by the Vice-Chair, Mr. Breedon, has made my executive tasks much easier to fulfill. As well, special thanks go to all of the staff of the Commission in helping to continue the smooth operation and professional interfacing with the public in the carrying out of our statutorily mandated duties. While we all have different roles to play, all are mindful of our ultimate role — public service to the people of Prince Edward Island. That concept is evident in reviewing the reports from each of the divisions of IRAC.

While the work of the Land Division remained steady over the past reporting period, the responsibility for the *Lands Protection Act* continued to bring with it a number of issues and problems that required resolution. As in previous years, responsibility for the hearing of appeals launched under the *Planning Act*, continues to take up the majority of the time of staff in the Land Division insofar as the appellate function is concerned. Certainly, the cases generated on appeal under the *Planning Act* often raise interesting points and usually attract community interest.

Perhaps the division which captured the attention of the Commission more than any other during the reporting period, was the Petroleum Division. With the extreme volatility of gasoline prices as a result of the volatility in the price of crude oil on the world market, our distinct and unique form of regulation of petroleum product prices again came under national scrutiny. As one peruses the information produced by the Petroleum Division, one can see that between March of 1999 and March of 2000, the price of furnace oil and gasoline in Prince Edward Island was on a continuous upward trend, and in fact increased almost 20 cents per litre over that period of time. Even greater increases were documented in other parts of the country at various times during the same period, but again all of this serves to highlight the work of the Commission in regulating petroleum prices in this Province. It bears stating again, that the purpose of the *Petroleum Products Act* is to achieve that balance between a fair return for wholesalers and a fair price to consumers. Among other things, the price regulating process under the *Petroleum Products Act* is designed to take out the extreme highs and lows that might otherwise occur in the marketplace. During the period covered by this report, there can be no doubt but that this purpose was effectively achieved. In short, it would appear that the *Petroleum Products Act* continues to serve Islanders well while providing a fair return over time to the petroleum industry. Before leaving this Division, it is interesting to note in Table 2 that the total number of stations dispensing motor fuel in this Province continues to drop while Table 4 indicates that fewer outlets are dispensing higher volumes. This trend is a reflection of what appears to be happening nationally. Given the principle in the *Petroleum Products Act* requiring service to the motoring public, the Commission will continue to monitor this situation and may have to intervene in the future should there be significant erosion of service.

Increased activity was experienced in the Rental Division during the current reporting period over the last reporting period. Enforcement of Statutory or Other Conditions of Rental Agreements was down

slightly while the Disputes with Respect to Security Deposits which had to be settled by the Rental Division were up slightly. Applications involving the Termination of Rental Agreements doubled during the reporting period while Rent Increase Applications were up only slightly. Finally, appeals to the Commission from decisions taken by the Director of the Residential Rental Property were down. Table 1 produced by the Residential Rental Property Division shows that the total number of new applications was up over the previous reporting period; Table 2 indicates that the total number of orders issued was also up over the previous reporting period; and Table 3 indicates that the total number of inquiries was also up over the previous reporting period. In all, the staff of this Division continue to handle a large number of inquiries and arbitrate a considerable number of disputes pursuant to the *Rental of Residential Property Act*. As such, the staff of the Division continue to interface with the public more than any other division of the Commission, and do so in an exemplary fashion.

The report of the Technical Services Division of the Commission sets out in detail the various functions and responsibilities of that Division. From the perspective of the overall functioning of the Commission, all Divisions rely upon the expertise in information technology, which the Technical Services Division staff bring to the Commission. Certainly, the overall smooth functioning of the Commission is very much a factor of the Technical Services Division keeping abreast of the ever-changing areas of information technology and providing the Commission with the appropriate applications to better carry out its various functions. In last year's report, the Commission had been assured that we would be Y2K compliant by the summer of 1999. In fact, all went well in that regard and the Commission made a smooth transition into the new millennium thanks to staff of the Technical Services Division.

In closing I wish to again compliment and thank all staff members at IRAC for the professional manner in which they have discharged their duties during the past year. All have contributed to the better functioning of the Commission and therefore in better service to the public. In this regard, special thanks to our Administrative Services Division for keeping all other divisions in line so that, together, we can achieve our goal of delivering that quality service. As well, all part-time Commissioners participated in a meaningful way in whatever task was assigned to them, and I must say, all came prepared to deal with the issues before them. Their role is indeed an important one in the makeup of the Commission because of the various backgrounds and experience that they bring to the table. I look forward to their continued input in the year ahead as the Commission continues to deal with the legislative responsibilities within its jurisdiction.

Commentaires du président

Les activités de la Commission, tel qu'il en ressort des rapports des diverses divisions décrites dans les pages qui suivent, démontrent clairement la variété, et parfois la complexité, des diverses affaires dont l'administration et la réglementation lui sont confiées par la loi. Avec l'évolution du temps, les domaines se raffinent de plus en plus tant du point de vue du personnel qui traite avec les divers secteurs sur une base quotidienne que du point de vue du public qui demande une réparation, une explication ou une mesure à propos de l'un ou l'autre des divers sujets sur lesquels se penche la Commission.

Comme je l'ai mentionné dans des rapports précédents, le travail et l'apport significatif du vice-président, M. Breedon, m'ont permis de remplir mes fonctions de direction avec beaucoup plus de facilité. Quoique nous avons tous des rôles différents à jouer, nous sommes tous conscients que notre rôle ultime consiste à rendre un service public à la population de l'Île-du-Prince-Édouard. Il est évident qu'un tel concept saute aux yeux lorsqu'on révise les rapports de chacune des divisions de la CRAI.

Alors que le travail de la Land Division (Division des terres) est demeuré stable durant la période de référence, la responsabilité à l'égard de la *Lands Protecton Act* n'a pas cessé d'entraîner un certain nombre de questions et de problèmes demandant à être résolus. Comme au cours des années précédentes, la responsabilité d'entendre les appels interjetés en vertu de la *Planning Act* a continué d'occuper la majeure partie du temps du personnel de la Division des terres, pour ce qui est de la fonction d'appel. Il n'y a pas de doute que les affaires engendrées au niveau des appels en vertu de la *Planning Act* soulèvent souvent des points intéressants et retiennent habituellement l'intérêt de la collectivité.

C'est sans doute la Petroleum Division (Division du pétrole) qui a retenu l'attention de la Commission plus que toute autre durant la période de référence. Les prix de l'essence étant extrêmement volatils en raison de la volatilité du prix du pétrole brut sur le marché international, notre forme de réglementation distincte et unique des prix du produit pétrolier a de nouveau fait l'objet d'un examen national minutieux. Celui ou celle qui prend connaissance de l'information divulguée par la Division du pétrole s'aperçoit qu'entre mars 1999 et mars 2000 le prix de l'huile de chauffage et de l'essence, à l'Île-du-Prince-Édouard, a montré une tendance continue à la hausse, et qu'il a réellement augmenté de près de 20 cents le litre durant cette période. À divers moments au cours de la même période, on a même enregistré de plus fortes augmentations ailleurs au pays, mais encore une fois, cela ne sert qu'à illustrer le travail de la Commission en matière de réglementation des prix du pétrole dans cette province. Encore une fois, je me dois de répéter que le but de la *Petroleum Products Act* est de réaliser l'équilibre entre un rendement équitable pour les grossistes et un prix équitable pour les consommateurs. Entre autre choses, le processus de réglementation des prix sous le régime de la *Petroleum Products Act* est conçu pour éliminer les extrêmes (hauts et bas) qui peuvent survenir autrement dans le marché. Durant la période de référence du présent rapport, il n'y a aucun doute que la loi a atteint son but. En bref, il semblerait que la *Petroleum Products Act* continue de servir les Insulaires tout en procurant au fil du temps un rendement équitable à l'industrie pétrolière. Avant de passer à une autre division, il est intéressant de noter au tableau 2 que le nombre total de stations-services distribuant du carburant dans cette province continue de diminuer alors que le tableau 4 indique que moins de points de vente distribuent de grands volumes. Cette tendance semble se manifester partout au pays. Vu le principe énoncé dans la *Petroleum Products Act* à l'effet qu'il faut rendre le service aux automobilistes, la Commission continuera de surveiller la situation et pourrait avoir à intervenir à l'avenir si le service subit une grave dégradation.

Durant la période de référence actuelle, la Rental Division (Division de la location) a connu une augmentation d'activité par rapport à la période de référence précédente. L'exécution forcée des conditions légales ou autres conditions apparaissant aux contrats de location a légèrement diminué tandis que les litiges concernant les dépôts de garantie devant être réglés par la Division de la location ont quelque peu augmenté. Les demandes d'annulation de contrat de location ont doublé durant la période de référence tandis que les demandes d'augmentation de loyer ont très peu augmenté. Finalement, les appels à la Commission des décisions rendues par le directeur de la Rental of Residential Property (location des immeubles d'habitation) ont été moins nombreux. Le tableau 1 préparé par la Residential Rental Property Division (Division des immeubles de location résidentielle) montre que le nombre total de nouvelles demandes était plus élevé que celui de la période de référence précédente; le tableau 2 montre que le nombre total d'ordonnances rendues était également plus élevé que celui de la période précédente; le tableau 3 montre également une élévation du nombre total d'enquêtes par rapport à celui de la période de référence précédente. Tout bien considéré, le personnel de cette Division continue de s'occuper d'un grand nombre d'enquêtes et arbitre un nombre considérable de litiges en application de la *Rental of Residential Property Act*. Vraiment, le personnel de la Division en question continue d'entretenir plus de relations avec le public que toute autre division de la Commission, et il s'acquitte de sa tâche d'une manière exemplaire.

Le rapport de la Technical Services Division (Division des services techniques) de la Commission fait état en détail de ses diverses fonctions et responsabilités. Du point de vue du fonctionnement global de la Commission, toutes les divisions comptent sur l'expertise en technologie de l'information que le personnel de la Division des services techniques apporte à la Commission. Nul doute que le bon fonctionnement de la Commission tient en grande partie au fait que la Division des services techniques se maintient à l'avant-garde des progrès dans les domaines de la technologie de l'information qui sont constamment en évolution, et qu'elle met à la disposition de la Commission les applications appropriées qui lui permettent de s'acquitter de ses diverses fonctions. Dans le rapport de l'an dernier, la Commission avait été assurée qu'elle serait conforme à l'an 2000 dès l'été 1999. En réalité, tout s'est bien passé dans ce domaine, et la Commission a effectué la transition au nouveau millénaire sans heurt grâce au personnel de la Division des services techniques.

En terminant, j'aimerais féliciter et remercier tous les membres du personnel de la CRAI pour le professionnalisme avec lequel ils se sont acquittés de leurs tâches au cours de la dernière année. Toutes et tous ont contribué au meilleur fonctionnement de la Commission, et par voie de conséquence à un meilleur service au public. À cet égard, j'adresse des remerciements particuliers à notre Administrative Services Division (Division des services administratifs) pour avoir gardé toutes les autres divisions dans le droit chemin afin que nous puissions ensemble réaliser notre but de fournir un service de qualité. De même, tous les commissaires à temps partiel ont apporté une contribution significative à l'une ou l'autre des tâches qui leur ont été assignées et, je dois dire, tous étaient prêts à traiter les affaires devant eux à leur arrivée. En effet, leur rôle est important dans la composition de la Commission en raison des antécédents diversifiés et de l'expérience qu'ils apportent dans les discussions. Je compte sur leur contribution soutenue au cours de la prochaine année alors que la Commission continuera de s'acquitter des responsabilités législatives relevant de sa compétence.

TABLE 1

Decisions-Orders-Approvals-Mediations
(Fiscal Year End)

Land and Property Division	1993	1994	1995	1996	1997	1998	1999	2000
Planning Act Appeal Decisions	8	9	15	18	14	16	15	24
Roads Act - Appeal Decisions	0	0	0	4	2	1	1	0
Non-Resident Applications	75	93	110	105	92	102	94	118
Corporate Applications	117	93	230	197	162	190	186	227
LPA Section 6.1 Permit Applications	n/a	n/a	n/a	n/a	36	n/a	40	n/a
Annual Disclosure Statements	n/a	n/a	n/a	n/a	88*	92	94	87
Municipal Boundary Extensions	-	-	1	0	0	1	0	0
Real Property Assessment Act Appeal Decisions	2	5	8	3	6	1	0	4
Appeals Mediated	0	0	0	2	7	0	0	3
Total Division	**202**	**200**	**364**	**329**	**407**	**403**	**430**	**463**

* See Table 8

Petroleum Division	1993	1994	1995	1996	1997	1998	1999	2000
Pricing Applications	32	28	24	34	47	49	60	52
Other Pricing Matters	n/a	n/a	n/a	n/a	2	3	2	6
Initial Applications	2	2	0	3	2	1	2	1
Violations	6	30	17	26	30	19	17	9
Total Division	**40**	**60**	**41**	**63**	**81**	**72**	**81**	**68**

Rental Division	1993	1994	1995	1996	1997	1998	1999	2000
Rental Appeals/Allowable Rent Increase	6	13	8	8	21	15	13	10
Total Division	**6**	**13**	**8**	**8**	**21**	**15**	**13**	**10**

Technical Services Division	1993	1994	1995*	1996	1997	1998	1999	2000
Water-Sewer Rate Applications	14	11	10	10	1	2	0	0
Electric Rate Applications	6	2	n/a*	n/a	n/a	n/a	n/a	n/a
Water-Sewer Formal Complaints	1	0	3	2	1	0	0	0
Electric Formal Complaints	2	2	1	0	0	0	0	0
Other Water-Sewer	0	8	10	2	0	0	3	2
Other Electric	16	19	1	1	0	0	0	0
Sales Tax Appeals	1	0	3	2	3	1	3	1
Water-Sewer Construction Permits	33	52	72	17	14	14	12	2
Other Division	n/a	n/a	n/a	n/a	n/a	n/a	n/a	3
Total Division	**73**	**94**	**100**	**34**	**19**	**17**	**18**	**8**

**IRAC regulation of Electric Rates discontinued as of April 30, 1994*

Total Commission	**321**	**367**	**513**	**434**	**528**	**507**	**542**	**549**

TABLE 2

Meetings and Hearings

Fiscal Year Ended	Hearing Sessions	Meeting Sessions	Total
2000	32	204	236
1999	32	233	265
1998	56	137	193
1997	50	206	256
1996	63	167	230
1995	47	196	243
1994	42	137	179
1993	68	138	206
1992	63	95	158
1991	42	92	134

TABLE 3

Public Hearing Days

Fiscal Year Ended	Land & Property Division	Technical Services Division	Rental Division	Petroleum Division	Total
2000	19	6	7	0	32
1999	17	1	12	3	33
1998	33	5	14	4	56
1997	24	3	20	3	50
1996	39	3	7	14	63
1995	32	3	7	5	47
1994	19	8	12	1	40
1993	19	32	5	9	65
1992	5	30	n/a	19	54
1991	n/a	20	n/a	14	34

Financial Information & Divisional Assessment Formulas

Statement of Earnings and Surplus - Operating Fund*

Year ended March 31, 2000, with comparative figures for 1999

	2000	1999
Income:		
Assessments on public utilities	$ 245,969	$ 246,370
Licenses		
Petroleum products	257,770	261,051
Permits - land and property division	140,029	172,731
- moving buildings	1,666	825
Assessment - Province of Prince Edward Island	1,041,200	1,020,236
Investment income	53,121	39,385
Other income	0	1,660
	1,739,755	1,742,258
Expenses:		
Advertising	11,516	17,102
Cleaning	6,989	6,989
Computer maintenance and supplies	12,737	13,624
Depreciation	102,242	118,968
Education and development	7,338	9,235
Insurance	5,594	4,707
Interest	6,277	6,252
Office and supplies	26,158	24,550
Part-time commissioners	35,464	35,531
Postage	4,443	2,383
Professional fees	52,670	67,486
Publications	12,144	12,459
Rent	146,163	164,164
Salaries and employee benefits	1,089,070	1,031,547
Telephone	21,793	20,648
Travel	45,647	26,622
Year 2000 computer upgrades	29,429	
	1,615,674	1,562,267
Earnings before deferred revenue	124,081	179,991
Transfer from Reserves	26,565	31,900
Deferred Revenue	150,646**	211,891**
Net earnings	-	-
Surplus, beginning of year	170,191	130,232
Transfer from capital fund	102,242	118,968
Transfer to capital fund for investment in capital assets	(98,165)	(79,009)
Surplus, end of year	$ 174,268***	$ 170,191***

*As reported in the Financial Statements of Island Regulatory and Appeals Commission March 31, 2000.

** Pursuant to a three year provincial assessment agreement entered into with the Province of Prince Edward Island the Commission has agreed to refund to the Province at the end of the agreement, the accumulated surpluses, if any, for the years ended March 31, 1996, 1997 and 1998. A similar agreement has been entered into with the Province of Prince Edward Island for the years ended March 31, 1999, 2000 and 2001.

*** Since the Commission operates at arms-length from Government and is funded differently from departments of Government, there has always been a need for the Commission to keep a certain surplus in its account to cover any unanticipated demands throughout the year. The Commission is expected to, and does, meet all of its requirements on a year-to-year basis this way – without seeking special assessments for extraordinary events. This enables those assessed, including Government, to rely upon the assessment with assurance that additional funds will not be sought later in the year. While the Commission has the power to issue additional assessments throughout the year, it has always tried not to do so, for the above reasons.

Revenue Sources 1999-00

		1999-00 Revenue		1999-00 Expenses
Land and Property Division/Rental Division				
Land and Property Fees	$ 135,704		$649,443	
Rental Fees	4,325	$ 140,029	362,679	$1,012,122
Petroleum Division				
Licenses and Fees		$ 259,436		$ 339,495
Technical Services Division				
Assessments - Utilities				
Water and Sewer	$ 25,969			
Electric Utilities	220,000	$ 245,969		$ 264,057
Assessment to Government of PEI - General Revenue Fund		$ 1,041,200		
Investment Income		$ 48,172		
Miscellaneous - Hearing room rent, transcripts, etc.		$ 4,949		
Total Revenue and Expense		**$1,739,755**		**$1,615,674**
Earnings before Transfer from Reserves		**$ 124,081**		

Assessments
1999-2000

Land and Property Division

Revenue is generated through the following fees:

Applications under the *Lands Protection Act* for purchase of property by non-residents:

Fees: Minimum of $500.00 or 1% of the agreed purchase price, whichever is greater.

Rental Division

Revenue is generated through the following fees:

Rental Applications:

A) Rent Owing applications (pursuant to Section 8) filed by a lessor - $30.00

B) Rent Increase applications [pursuant to Section 23(3)]

Two units or less - $25.00

Three or more units - $75.00

C) All other applications by a lessor or lessee - $10.00

Assessments
1999-2000

Petroleum Division

Revenues to operate the Petroleum Division for this fiscal year were derived from fees for licenses issued under the *Petroleum Products Act*, together with other related charges as set out in the following schedule:

(i)	Wholesale License (Initial)	$1,500.00
	Wholesale License (Initial-Lubricants Only)	$750.00
(ii)	Wholesale License (Renewal) (Based on Total Sales Volume in Litres for Previous Year)	
	Sales up to 2,500,000	$2,750.00
	Sales Between 2,500,001 and 5,000,000	5,500.00
	5,000,001 and 15,000,000	8,250.00
	15,000,001 and 30,000,000	11,000.00
	(Over 30,000,000 - $11,000.00 plus $2,750.00 for each additional 15,000,000 or portion thereof)	
(iii)	Cardlock Facility Bulk Fuel Depot (Each Dispensing Unit)	$200.00
(iv)	Retail-Distributor's License - Bulk Storage (Based on Storage Capacity in Litres)	
	Capacities totaling up to 500,000	$625.00
	Capacities between 500,001 and 1,000,000	750.00
	1,000,001 and 10,000,000	1,500.00
	10,000,001 and 30,000,000	3,000.00
	30,000,001 and 50,000,000	4,500.00
	50,000,001 and 70,000,000	6,000.00
	70,000,001 and 90,000,000	7,500.00
	Over 90,000,000	9,000.00
(v)	Retail-Distributor's License	
	No Bulk Storage	$300.00
	No Bulk Storage (Lubricant's Only)	$150.00
(vi)	Tank Truck License (Including propane cylinder delivery trucks)	$125.00
(vii)	Retail Dealer Licenses (other than Marine) (includes gasoline, diesel fuel, kerosene and propane nozzles)	
	(a) For each nozzle from 1 - 12	$50.00
	(b) For each nozzle from 13 - 24	$35.00
	(c) For each nozzle over 24	$25.00
(viii)	Retail Dealer Licenses (Propane only)	
	(a) For the sale of filled portable propane cylinders up to and including 20 kilograms only	$50.00
	(b) For the filling of propane tanks permanently attached to a motor vehicle	$50.00
	(c) For the filling, sale, and/or delivery of portable propane cylinders up to and including 45.4 kilograms only	$100.00
(ix)	Retail Dealer Licenses (Marine only)	
	(a) Each marked gasoline, unmarked gasoline or diesel fuel nozzle	$50.00
	(b) Each keylock or cardlock dispensing unit	$200.00
(x)	Aviation Fuel Depot	$500.00
(xi)	Licensing fees based on equipment installed after October 1 each year	-50%
(xii)	Filing Fee re Applications requiring advertising	$200.00
(xiii)	For the reissue of any Petroleum Products License during the term of its validity	$35.00
(xiv)	Administrative Fee for cancellation of any unused License	$35.00

Assessments
1999-2000

Technical Services Division

Revenue is generated through the following Utility Assessments.

Assessment Scale
Water and Sewer
1999-2000

REVENUE RANGE ($)	ASSESSMENT RATE 1998-99	% CHANGE	ASSESSMENT RATE 1999-00
0 - 5,000	$275.63	0.00%	$275.63
5,001 - 10,000	$441.00	0.00%	$441.00
10,001 - 50,000	$716.63	0.00%	$716.63
50,001 - 100,000	$1,102.50	0.00%	$1,102.50
100,001 - 250,000	1.23480 %	0.00%	1.23480 %
250,001 - 500,000	1.21275	0.00%	1.21275
500,001 - 750,000	1.19070	0.00%	1.19070
750,001 - 1,000,000	1.16865	0.00%	1.16865
1,000,001 - 1,250,000	1.14660	0.00%	1.14660
1,250,001 - 1,500,000	1.12455	0.00%	1.12455
1,500,001 - 1,750,000	1.10250	0.00%	1.10250
1,750,001 - 2,000,000	1.08045	0.00%	1.08045
2,000,001 - 2,500,000	1.05840	0.00%	1.05840

Assessment
Power

The annual power assessment for Maritime Electric Company, Limited is determined by the Lieutenant Governor in Council, pursuant to section 22 of the *Maritime Electric Company Limited Regulation Act.*

The assessment for the City of Summerside Electric Utility is also determined by the Lieutenant Governor in Council, pursuant to section 46(2)(a) of the *Electric Power and Telephone Act.*

Land and Property Division Report

Land and Property Division Report

I. INTRODUCTION

The Division has been assigned responsibilities under the following statutes:

- *Planning Act*, R.S.P.E.I. 1988, Cap. P-8;
- *Lands Protection Act*, R.S.P.E.I. 1988, Cap. P-5;
- *Real Property Assessment Act*, R.S.P.E.I. 1988 Cap R-4;
- *Real Property Tax Act*, R.S.P.E.I. 1988, Cap. R-5;
- *Roads Act*, R.S.P.E.I. 1988 Cap. R-15;
- *Municipalities Act*, R.S.P.E.I. 1988, Cap. M-13;
- *Unsightly Property Act*, R.S.P.E.I. 1988 Cap. U-5; and the
- *Heritage Places Protection Act*, R.S.P.E.I. 1988 Cap. H-3.1.

The Division is responsible for the coordination and administration of appeal hearings relating to the following matters: land use planning, real property assessment and real property tax, entrance way permits, unsightly properties, and matters related to the designation of heritage places. The Division administers the *Lands Protection Act* and is responsible for receiving annual disclosure statements, making recommendations to the Lieutenant Governor in Council on the disposition of applications respecting the acquisition of land by non-residents and corporations and conducting investigations to determine if persons or corporations have contravened the *Act*. The Division is also responsible for the coordination of public hearings conducted by the Commission in its review of applications by municipalities seeking boundary extensions.

The following outlines the major roles and responsibilities of the Division and the level of activity under each of the related statutes. Statistical information is based upon the fiscal year from April 1, 1999 to March 31, 2000. A review of Division activity can be found in Table 7.

II. PLANNING ACT

Under the *Planning Act*, the Commission is responsible for hearing and deciding appeals relating to land use.

As an appellate body, the Commission hears appeals from persons who are dissatisfied with decisions made by the Minister of Community Services and Attorney General or a municipal council pursuant to section 28 of the *Act*. This provision is set out as follows:

... any person who is dissatisfied by a decision of a council or the Minister in respect of the administration of regulations or bylaws made pursuant to the powers conferred by this Act, may, within twenty-one days of the decision appeal to the Commission.

In 1999-2000, the Commission received a total of 33 appeals. In addition, 7 appeals were carried forward from previous years. Of these 40 appeals, 2 were allowed, 7 were denied, 12 were subsequently withdrawn by the Appellants and in 11 cases, the Commission found that it did not have jurisdiction to hear the appeals. During this period, the Commission assisted in mediating 3 appeals. A total of 5 appeals are pending (refer to Table 1).

III. LANDS PROTECTION ACT

A. Non-Resident and Corporate Applications

The Commission is responsible for making recommendations to the Lieutenant Governor in Council on all applications by non-residents and corporations to acquire an interest in land pursuant to the provisions of the *Lands Protection Act*.

During the reporting period, the Commission considered 118 applications from non-residents totaling 4,194.27 acres. Nine non-resident applications involving 275.51 acres were denied by the Lieutenant Governor in Council following recommendations of denial by the Commission. Sixty-three parcels with shore frontage totaling approximately 54,732 feet were included in the applications. During this same period, the Commission considered

201 applications involving 17,472.53 acres of land from resident corporations. Twenty-six applications involving 1,085.29 acres of land were considered from non-resident corporations. A breakdown of these can be found in Tables 2, 3, 4, and 5 and Figures 1, 2, 3, and 4.

B. Annual Disclosure Process

The Commission is also responsible for receiving annual land holding disclosure statements from all persons and corporations having an aggregate land holding of more than 750 acres for persons and more than 2,250 acres for corporations. The disclosure statements are filed pursuant to the provisions of subsection 10(2) which states:

Without prejudice to subsection (1), any person or corporation having an aggregate land holding in excess of the limit specified in subsection (1) shall, not later than December 31 of each year, file a disclosure statement with the Commission.

For the 1999 period, the Commission received a total of 87 land holding disclosure statements, of which 15 statements were filed by corporations and 72 filed by persons.

C. Information and Monitoring System

The Commission continues to maintain a computerized land information system to assist in tracking and reporting on applications filed with the Commission. The database includes all applications filed with the Commission and the Land Use Commission dating back to 1977. The database has also been expanded to permit tracking of persons and corporations that file annual land holding disclosure statements. This system allows the Commission to access information more quickly and efficiently in the process of reviewing applications and responding to public inquiries.

The Commission is also able to access property information and mapping through GeoLinc, the Department of Provincial Treasury's assessment records system.

D. The Land Identification Program

The object of the Land Identification Program is to prevent development of land identified for non-development use. Non-development means use for such purposes as forestry, wildlife, agriculture, recreation, permanent or seasonal residence that do not involve commercial or industrial development or subdivision.

The Commission's involvement in this program pertains to acquisitions by non-residents and corporations. The Commission is responsible for making recommendations to the Lieutenant Governor in Council on the disposition of applications including recommendations as to whether the land should be identified.

The Commission places an emphasis on the identification of land for non-development use when it considers applications by non-residents and corporations for land acquisition. Special attention is paid to applications for acquisition of coastal land, active agricultural land, speculative land transactions and land intended for subdivision. In most cases, identification for non-development is recommended as a condition of approval.

During the reporting period, the Commission recommended that 12,854 acres be identified for non-development use as a result of non-resident, non-resident corporate and resident corporate applications considered under the *Act* (refer to Table 6).

IV. REAL PROPERTY ASSESSMENT ACT

The Provincial Treasurer is responsible for administering the *Real Property Assessment Act*. Subsection 22(1) of the *Act* states:

Where an assessment has been referred to the Minister under Section 20, and after the Minister has notified the person making the reference of his decision, the person making

the reference may appeal to the Commission to have the assessment vacated or varied.

In 1999-2000, the Commission received 5 appeals. In addition, 8 appeals were carried forward from previous years. Of the 13 appeals, 8 were subsequently withdrawn by the Appellants. The Commission issued 4 Orders (1 Order related to a request for reconsideration of a previous decision by the Commission) and a total of 2 appeals are still pending.

V. REAL PROPERTY TAX ACT

The Provincial Treasurer is responsible for administering the *Real Property Tax Act*. Subsection 35(1) of the *Act* reads:

Where a tax has been referred to the Minister under Section 33, and after the Minister has notified the person making the reference of his decision, the person making the reference may appeal to the Commission, to have the tax vacated or varied.

No appeals were filed with the Commission during this reporting period.

VI. UNSIGHTLY PROPERTY ACT

The *Unsightly Property Act* deals with properties which are considered unsightly. Under the *Act*, an order can be issued to an individual to clean up the property. Pursuant to section 7 of the *Act*, where an individual is issued an order to clean up unsightly property, he or she may appeal to the Commission. On hearing the appeal, the Commission may confirm, rescind or in any manner vary the order, and the judgment of the Commission shall be final.

During the reporting period, one appeal was filed with the Commission, which was later withdrawn by the Appellant.

VII. ROADS ACT

The *Roads Act* is administered by the Department of Transportation and Public Works. The Commission has appellate jurisdiction as set out pursuant to subsection 12(1) of the Highway Access Regulations:

Where the Minister has discretion to issue an entrance way permit pursuant to these regulations, a decision of the Minister may be appealed to the Island Regulatory and Appeals Commission, by the applicant.

One appeal was carried forward from the previous year and was subsequently withdrawn by the Appellant.

VIII. MUNICIPALITIES ACT

The Commission is responsible for conducting public hearings with respect to municipal boundary extensions. Pursuant to subsection 12(1):

Where a municipality wishes to extend its boundaries to include an area for which no municipal government is provided under this Act, it may apply to the Minister for approval of the annexation of that area.

Pursuant to subsection 13(1), upon receipt of such application, the Minister shall direct the Commission to conduct a public hearing and make a recommendation to the Minister on the disposition of such application.

An application from the City of Summerside was referred to the Commission during this reporting period. At the request of the City, this application continues to be held in abeyance.

IX. HERITAGE PLACES PROTECTION ACT

Under the *Heritage Places Protection Act*, the Minister may designate any heritage place as a designated site, structure or area. The owner of any property designated as a heritage place or any municipality in which the property is located may appeal to the Commission against the decision of the Minister.

No appeals were filed with the Commission during this reporting period.

TABLE 1

Status of Appeals
Planning Act
1992-2000

Appeals	1992*	1993*	1994*	1995 -96	1996 -97	1997 -98	1998 -99	1999 -00
Allowed	2	2	5	4	0	3	7	2
Denied	6	7	10	11	5	10	8	7
Withdrawn	2	12	14	17	6	18	10	12
No Jurisdiction	0	2	1	2	8	3	3	11
Mediated	n/a	n/a	n/a	2**	3	0	0	3
Pending	6	7	18	12	17	16	7	5
Total	16	30	48	48	39	50	35	40

* Represents calendar year.
** The Island Regulatory and Appeals Commission Act was amended in 1995 to allow use of alternative dispute resolution where appropriate.

TABLE 2

Non-Resident Applications
Lands Protection Act
1999-2000

	PRINCE COUNTY		QUEENS COUNTY		KINGS COUNTY		PROVINCE	
No. of Acres	No. of Applications	Acreage	No. of Applications	Acreage	No. of Applications	Acreage	No. of Applications	Acreage
<10	10	30.35	16	41.77	9	31.26	35	103.38
10-49	14	305.87	23	632.59	18	452.58	55	1,391.04
50-99	1	80.00	2	134.00	9	637.03	12	851.03
100-499	0	0.00	3	528.00	3	462.16	6	990.16
500+	0	0.00	1	583.15	0	0.00	1	583.15
Total	25	416.22	45	1,919.51	39	1,583.03	109	3,918.76

Land Identified	No. of Parcels	Acreage	No. of Parcels	Acreage	No. of Parcels	Acreage	No. of Parcels	Acreage
Total	15	302.58	26	944.17	19	729.53	60	1,976.28

Shore Frontage	No. of Parcels	Feet	No. of Parcels	Feet	No. of Parcels	Feet	No. of Parcels	Feet
Total	14	14,614	21	9,095	28	31,023	63	54,732

Nine non-resident applications involving 275.51 acres were denied in 1999-2000 and are not included in the above table.

TABLE 3

Resident Corporate Applications
Lands Protection Act
1999-2000

No. of Acres	PRINCE COUNTY No. of Applications	Acreage	QUEENS COUNTY No. of Applications	Acreage	KINGS COUNTY No. of Applications	Acreage	PROVINCE No. of Applications	Acreage
<10	20	67.83	23	72.22	15	50.56	58	190.61
10-49	25	759.04	20	600.84	13	317.74	58	1,677.62
50-99	21	1,515.85	8	563.60	8	530.26	37	2,609.71
100-499	16	3,017.53	17	2,691.57	9	1,852.50	42	7,561.60
500+	4	3,190.63	1	685.60	1	1,556.76	6	5,432.99
Total	86	8,550.88	69	4,613.83	46	4,307.82	201	17,472.53

Land Identified	No. of Parcels	Acreage	No. of Parcels	Acreage	No. of Parcels	Acreage	No. of Parcels	Acreage
Total	110	5,388.89	47	3,343.19	33	2,021.76	190	10,753.84

Shore Frontage	No. of Parcels	Feet	No. of Parcels	Feet	No. of Parcels	Feet	No. of Parcels	Feet
Total	30	64,575	16	8,590	13	17,900	59	91,065

TABLE 4

Non-Resident Corporate Applications
Lands Protection Act
1999-2000

No. of Acres	PRINCE COUNTY No. of Applications	Acreage	QUEENS COUNTY No. of Applications	Acreage	KINGS COUNTY No. of Applications	Acreage	PROVINCE No. of Applications	Acreage
<10	3	13.56	3	9.02	1	8.00	7	30.58
10-49	5	88.83	6	165.58	6	156.89	17	411.30
50-99	0	0.00	0	0.00	1	60.26	1	60.26
100-499	0	0.00	0	0.00	0	0.00	0	0.00
500+	0	0.00	1	583.15	0	0.00	1	583.15
Total	8	102.39	10	757.75	8	225.15	26	1,085.29

Land Identified	No. of Parcels	Acreage	No. of Parcels	Acreage	No. of Parcels	Acreage	No. of Parcels	Acreage
Total	2	43.90	2	25.09	2	54.51	6	123.50

Shore Frontage	No. of Parcels	Feet	No. of Parcels	Feet	No. of Parcels	Feet	No. of Parcels	Feet
Total	5	2,635	2	250	3	3,450	10	6,335

TABLE 5

Applications Reviewed
Lands Protection Act
1992-2000

Type of Application	1992*	1993*	1994*	1995 -96	1996 -97	1997 -98	1998 -99	1999 -00
Non-Resident	75	93	110	105	92	102	94	118
Corporate	117	93	230	197	162	190	186	227
Special Permits	3	n/a**	n/a	n/a	n/a	n/a	n/a	n/a
Special 6.1 Permits	n/a	n/a	n/a	n/a	46***	n/a	40****	n/a
Total	195	186	340	302	300	292	320	345

* Represents calendar year.
** Legislation was amended repealing provision for Special Permits.
*** Legislation was amended to permit Section 6.1 Permits.
**** Legislation was amended requiring reconsideration of Section 6.1 Applications.

TABLE 6

Acreage Identified for Non-Development Use
Land Identification Program
1992-2000

Type of Application	1992*	1993*	1994*	1995 -96	1996 -97	1997 -98	1998 -99	1999 -00
Non-Resident Applications	1,612	3,315	3,025	2,298	1,907	1,157	2,277	1,976
Corporate Applications	5,299	4,595	18,625	12,107	6,961	11,100	10,690	10,877
Enterprise P.E.I.	5,763	10,803	10,762	10,731	n/a**	n/a**	n/a**	n/a**
Total	12,674	18,713	32,412	25,136	8,868	12,257	12,967	12,854

* Represents calendar year.
** The Commission no longer makes decisions on land purchases from Enterprise P.E.I.

TABLE 7

Division Activity
Appeals, Applications and Statements Filed with the Commission 1992-2000

Issue	1992*	1993*	1994*	1995 -96	1996 -97	1997 -98	1998 -99	1999 -00
APPEALS								
Planning Act	17	30	41	30	33	32	19	33
Real Property Assessment Act	8	17	12	12	9	12	13	5
Real Property Tax Act	n/a	n/a	0	0	0	0	0	0
Roads Act	n/a	n/a	2	2	8	2	2	0
Unsightly Properties Act	1	0	0	0	0	0	0	1
Heritage Places Protection Act	n/a	n/a	0	0	0	0	0	0
LANDS PROTECTION ACT								
Non-Resident Applications	80	136	112	109	98	102	94	118
Resident Corporate Applications	175	91	220	187	154	171	170	201
Non-Resident Corporate Applications	3	10	16	14	15	20	16	26
Annual Disclosure Statements	n/a	n/a	n/a	n/a	88**	92	94	87
LPA Section 6.1 Permit Applications	n/a	n/a	n/a	n/a	46	n/a	40	n/a
MUNICIPALITIES ACT								
Boundary Extensions	n/a	n/a	1	1	0	1	0	1

* Represents calendar year.
** 77 Disclosure Statements for 1996 were reported in the 1996-97 Annual Report and 11 additional statements were filed after March 31, 1997.

FIGURE 1

Non-Resident Applications Acreage Distribution by County
Lands Protection Act
1999-2000

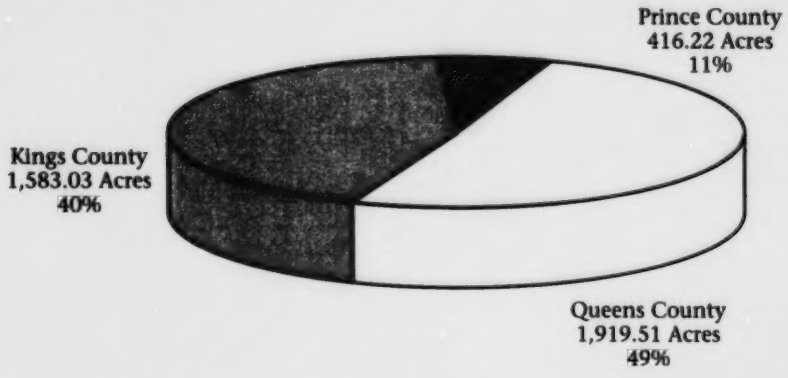


FIGURE 2

Resident Corporate Applications Acreage Distribution by County
Lands Protection Act
1999-2000

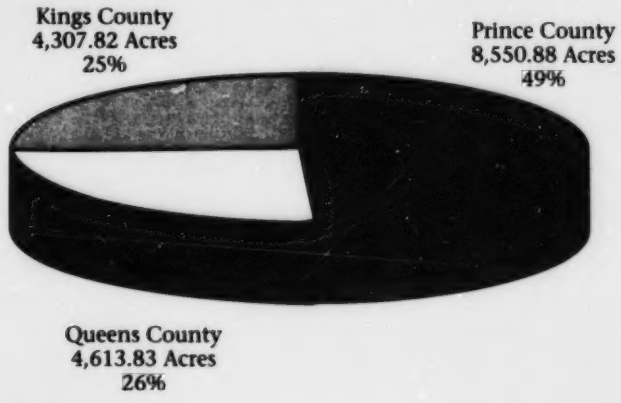
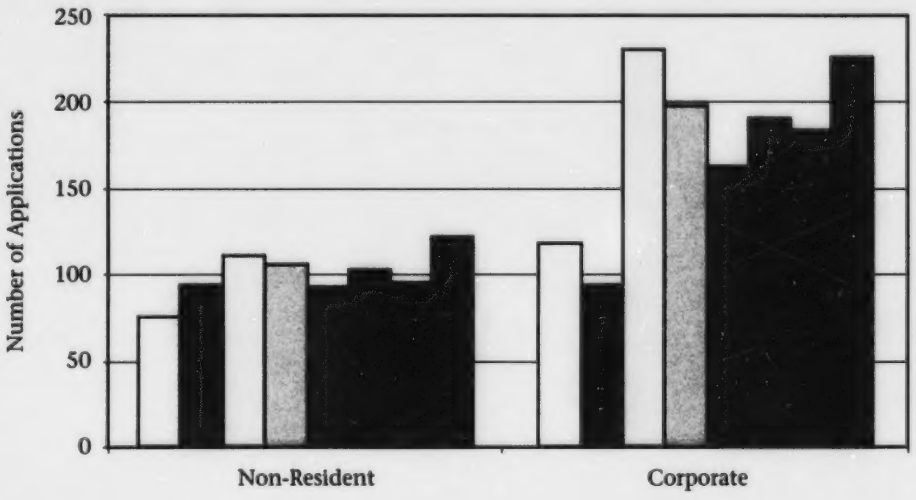


FIGURE 3

Non-Resident Corporate Applications Acreage Distribution by County
Lands Protection Act
1999-2000

FIGURE 4

Applications Reviewed
Lands Protection Act
1992-2000



Petroleum Division Report

Petroleum Division
1 April 1999 to 31 March 2000

Legislation

The Petroleum Division is responsible for the administration of the *Petroleum Products Act*, R.S.P.E.I. 1988, Cap. P-5.1. This revised statute was proclaimed on 1 February 1991 and the Regulations thereunder became effective on the same date. Slight amendments to this legislation were duly noted in previous reports.

The purpose of the *Petroleum Products Act* is cited as follows: "…..to regulate the distribution and sale of petroleum products within the Province of Prince Edward Island for use within the province, and the type, location, and operation of facilities and equipment associated therewith, and to ensure at all times a just and reasonable price for heating fuel and motor fuel to consumers and licensees within the Province."

It is stated in this legislation that no wholesaler or wholesaler-retailer shall bring into the province, cause another to bring into the province or distribute within the province, any petroleum product unless that wholesaler or wholesaler-retailer holds a license authorizing such activities. It also provides that no retailer, wholesaler or wholesaler-retailer shall sell or furnish any petroleum product or keep any petroleum product for sale at an outlet unless that retailer, wholesaler or wholesaler-retailer is the holder of a license with respect to each such outlet, and then only as specified in the license and subject to the *Act* and Regulations.

As stated above, the jurisdiction of the Commission extends to all types of outlets involving the distribution and sale of petroleum products (including propane), e.g. bulk storage plants, distributors' outlets, tank trucks, service stations, garages, general merchants, marine outlets (serving watercraft only).

Licensing

When issuing a license with respect to the operation of an outlet operated by a retailer, section 20 of the legislation requires that the Commission consider the public interest, convenience and necessity by applying such criteria as the Commission may from time to time consider advisable. This includes, but is not restricted to, a consideration of the demand for the proposed service, the location of the outlet, traffic flows and the applicant's record of performance.

In addition, there is a requirement on the Commission, when dealing with applications for annual renewal of all licenses, to consider whether or not the licensee is in a position to ensure an adequate supply of product during the coming year, the quantity of petroleum products sold in the previous year and the quality of service which the outlet renders to the community in which it is situated. If the Commission determines that a license is not to be renewed, a hearing will be scheduled if the licensee makes a written request within ten days of notice of such refusal to renew. Licensees may also voluntarily surrender their licenses — in which case a hearing may not be required. As indicated in our last report, the Commission expects to receive a minimum of three months' notice, especially in the case of wholesaler-owned outlets, of an intention to close a licensed outlet or remove a licensed service. This allows an opportunity for other interested parties to apply to replace these essential services in the area so affected in order to continue to meet the need and convenience of the motoring or boating public. In addition, Wholesale Licenses bear the following conditions:

"It is a condition of this wholesale license that the licensee shall supply petroleum products and related services to any retailer or consumer who seeks same, unless approval of an exception to the condition has been first obtained from the Commission."

As a result of the above-noted, the Commission must therefore also review applications by owners and/or operators of outlets to change the use of portions of licensed outlets; for example, a change from bay service to a convenience store or carwash. These applications often involve structural design changes that relate both to safety and service, and many also involve product additions and changes, as well as changes in the mode of dispensing.

Applications such as those relating to the initial establishment of retail motor fuels outlets or to the sale of propane, or applications for changes that result in the elimination of automotive bay-related services are advertised in the public press in order to give those interested an opportunity to file interventions either in support or in opposition.

Following the published deadline for filing of interventions, the Commission makes a determination as to whether or not it deems a public hearing of the application is required. At a hearing of this nature, the applicant is expected to attempt to establish that the products and services to be provided are required in the area. Other licensees and members of the public may appear as interveners in support of or in opposition to the application, and a decision is then rendered by the Commission. Appeals of the decisions of the Commission can only be on a question of law or jurisdiction and are governed by section 13 of the *Island Regulatory and Appeals Commission Act.*

The Commission hereby reiterates that it is an important principle in regulation that when a license is issued under the *Petroleum Products Act*, a licensee cannot service customers selectively, i.e. a licensee cannot arbitrarily discriminate against certain customers, and it is required that products and services be provided in accordance with the class of license issued as prescribed by section 63 of the *Petroleum Products Act.*

As Prince Edward Island is the only jurisdiction in Canada which regulates petroleum product prices, information is sought of staff on a regular basis by consumers, regulators, and members of the media in other jurisdictions relating to the specific legislation in place in this Province. Gasoline prices during the period covered by this report were particularly volatile in other jurisdictions with the result that the Commission's Chair and Vice-Chair were frequently called upon to do "on-air" interviews in an effort to explain pricing regulation in this jurisdiction, and the methods employed in this regard. The Annual Regional Meeting of the Canadian Petroleum Products Institute was held in Charlottetown on 12 August 1999, and was attended by the Chair, the Director and Assistant to the Director. The Director also represented the Commission at the Canadian Conference of Public Utility Tribunals held in Halifax in September, 1999.

Pricing

As indicated above, the Commission's mandate also requires that it ensure at all times a just and reasonable price for heating and motor fuels to consumers and licensees within the Province. In addition to dealing with individual applications for price changes to wholesalers' dealer and

posted consumer prices, the Commission regularly monitors available pricing information from sources in other jurisdictions and from an independent consulting firm known as M. J. Ervin & Associates. Natural Resources – Canada provides information relating to crude oil costs. With respect to crude oil cost-related applications, wholesalers are normally given six opportunities each year to file for pricing adjustments. If the Commission's monitoring of crude oil costs indicates that prices should be reduced and applications have not been received, the Commission will initiate an investigation and/or hearing into this matter and order prices to be decreased if this is determined to be necessary. Wholesalers are also given the opportunity of applying for "non-crude" related pricing adjustments each year, i.e. applications are received up to and including 15 March, (unless extraordinary circumstances require a different approach).

The base price differential between regular unleaded and premium unleaded gasolines was not changed from the differential established some time ago, i.e. the differential was not to exceed 4.0 cents per litre, with mid-grade product continuing to be priced midway between the regular and premium grades to the nearest one-tenth of a cent. These maximum differentials are to remain in effect until the matter is again given specific consideration and are ordered otherwise by the Commission.

The Commission also has the responsibility of determining retailers' minimum and maximum markups. These markups were most recently fixed by the Commission in its Order No. P.910424 issued on 24 April 1991. This Order authorized a minimum markup of 4.0 cents and a maximum of 5.5 cents per litre at self-serve pumps and a minimum markup of 5.0 cents and a maximum of 6.5 cents per litre at full-serve pumps. In addition, the markup selected by a dealer for each mode of service was ordered to be applied consistently to each grade of gasoline sold or offered for sale at the outlet. At split-serve outlets, diesel fuel and each grade of gasoline sold at self-serve pumps must be priced at least one cent lower than the prices at which full-serve diesel fuel and each grade of gasoline are being offered for sale. The preferential markup order which was issued with respect to the Consumers' Direct Charge Co-operative Association Limited in Charlottetown was recinded during this period due to a change from a "direct-charge" approach of selling to that of a "conventional" co-operative. This organization later sought and received permission to amend the conditions on its license which would permit the sale of gasoline to the general public in addition to its members. This request was approved in accordance with the Commission's Decision and Order No. P.000119-6 issued on 19 January 2000, with operating hours restricted to the usual business hours of the associated supermarket. As of the end of this reporting period, the Commission was dealing with a further request of the organization in relation to per litre patronage rebates.

Each retail pump operated in this jurisdiction must clearly indicate the grade of gasoline offered for sale, i.e., regular, mid-grade or premium unleaded, in order to enable consumers to choose product of similar quality (e.g. octane ratings) and make appropriate comparisons regarding price. In addition to identifying pumps in the above-noted manner, wholesalers may choose to also display their own individual product trade names, e.g., "Super", "Plus", "Supreme", "Silver", etc.

All petroleum product price changes authorized by the Commission were the subject of public notice in the press and on the Commission's web site. The Commission continued to periodically

publish during this period approved posted consumer prices of furnace fuel, as well as pump prices of the various grades of gasoline and diesel fuel, in two of the Province's newspapers as well as on the web site. These notices also contained tax and markup information. Appended are examples of these public notices indicating prices that were in effect as of 31 March 1999 and as of 31 March 2000, as well as a graph indicating the various pricing components which combined to form the total pump price of regular gasoline on each of those dates.

Fifty-two applications by wholesalers relating to pricing adjustments were dealt with by the Commission during this period. These decisions and orders are available for viewing on the Commission's web site, or may be obtained in hard copy upon request.

On 15 February 2000, as a result of independent monitoring of an abnormal situation which arose with respect to heating fuels, as well as preliminary consideration of two applications for pricing increases, the Commission ordered interim increases with respect to furnace oil and stove oil prices. Furnace oil was increased by 2.0 cents per litre and stove oil was increased by 1.0 cent per litre, effective 12:01 a.m. on 17 February 2000 and until otherwise ordered.

As at 15 March 2000, six wholesalers had filed for "non-crude" adjustments. Public notice of these applications was given, with input to be received by the Commission until 15 April 2000. Further consideration is to be given these applications following this deadline.

Storage/Dispensing

The Federal Government has continued to divest certain responsibilities and costs relating to federally-owned wharves to various stakeholders in the industry.

Several new or updated fixed dispensing facilities at various ports were licensed during the period covered by this report, and the Commission continues to work closely with Fisheries and Oceans – Canada and their Consultants, Jacques Whitford Environmental Ltd., as well as with Transport – Canada, with regard to these marine locations. Fueling of watercraft directly from tank trucks continues to be permitted only where fixed facilities are non-existent or inaccessible, and only when written authorization has been obtained by the licensee from the authority having jurisdiction of the particular wharf.

Issues/Matters Decided/ Outlet Closures

Further to our last report, Melody Enterprises Inc. was granted approval by the Commission's Decision and Order No. P.990420 to level the full-serve motor fuels outlet known as Highfield Service Station at Winsloe and rebuild at the same location a convenience store with split-serve motor fuels dispensing together with additional retail/residential space and a drive-thru coffee shop. Several aspects of this proposal were deleted, with the result that the Commission issued Decision and Order No. P.990826 dealing with the modifications thereto. This revised outlet with split-serve dispensing opened for service in December of 1999.

In addition, Rick and Jane Kennedy were granted approval to construct a car wash at their motor fuels outlet on Granville Street North in Summerside, and this car wash became operational early this year.

The application for initial licensing from 150540 Canada Ltd. which was filed early in 1999 was dealt with during this period, and the Commission issued its Decision and Order No. P.990707 approving in

principle the licensing of a general merchant class of outlet with fast-food facility and car wash to be constructed on Granville Street North in Summerside. An extension of time in which to construct this outlet was granted, and as of the end of this reporting period, this outlet was not yet operational.

During the period covered by this report, the Commission cancelled at the request of Irving Oil Limited its licenses under the *Petroleum Products Act* with respect to the operation of the Souris bulk plant, its bulk plant relating to propane at New Annan, and the Grafton Street Service Station. In addition, the Mount Carmel Service Station which had been leased by Irving Oil Limited to Le Conseil de Developpement Cooperatif Ltee also closed its doors for business in September of 1999. Irving Oil Limited also received approval to delete automotive bay services at its former Hunter River Service Station and continue to offer split-serve motor fuels dispensing in conjunction with the operation of a c-store, conditional on appropriate alterations being undertaken.

Permission was granted with respect to further alterations to the Ocean View Convenience Centre at Souris, which alterations resulted in the former interior pump attendant area being incorporated into the c-store/restaurant portion of the outlet and the installation of an exterior kiosk for the housing of pump island attendants involved in full-serve motor fuels dispensing.

Further to the previous report, an application by Patrick Murphy with respect to the Islander Service Station located in Alberton for expansion of the associated convenience store and deletion of automotive bay services was also approved during this period.

The Northumberland Service Station (Howatt-Shell) requested approval to alter its dispensing equipment to provide for split-serve motor fuels dispensing. No action had been taken with respect to the approval granted as of the end of this reporting period.

The Imperial Service Station located at 122 Euston Street in Charlottetown and owned and supplied by Imperial Oil Limited ceased operations on 20 February 2000. This outlet had been leased to and operated for many years by R. L. Taylor Ltd. (Mr. Robert Taylor). This brought the total retail outlets down from 140 in 1998 (with an average gasoline output of 1,323,474 litres) to 137 outlets in 1999 (with an average gasoline output of 1,433,663 litres). Of these 137 outlets, 22 sold less than 500,000 litres and 34 sold between 500,000 and one million litres of gasoline.

Non-Compliance/Enforcement

During this period, few breaches were alleged with respect to non-compliance of the *Petroleum Products Act* and/or Regulations. In the nine cases for which hearings were fixed, the alleged violators were given the option of appearing at a hearing or of acknowledging the non-compliance cited and accepting the penalty or penalties imposed. In all cases, the non-compliance was acknowledged and the optional penalty accepted. In other cases of a less serious nature, warnings were issued and the matter corrected to the satisfaction of staff. The public can be assured that the Commission will act firmly and fairly when a licensee is found to be in non-compliance, especially with regard to safety and pricing matters. Examples of such violations would include dispensing product into vehicles while the motors are running or persons

are smoking in the vicinity, unauthorized prices are being charged, operating in non-compliance with class of license or licensing conditions, and so on. The financial penalties imposed during this period totalled $1,450.00. Individual dealers found in violation as a result of overcharging for product (in addition to any other penalty which may be imposed), are sometimes ordered to operate with a reduced maximum allowable markup for a period of time so that customers who have been subjected to overcharging may have an opportunity to recover their losses.

When the non-compliance alleged is deemed to impact seriously with respect to the public, no optional penalty is offered, and the matter comes before a hearing of the Commission and a formal Decision and Order is rendered. All formal Decisions of the Commission appear on the Commission's web site.

Statistical Data

Fifty-nine formal Decisions and Orders relating to this Division were issued by the Commission during the period covered by this Report. A summary of these Orders is appended.

Nine wholesalers were licensed in this jurisdiction for the period covered by this report (See Table 1). They are Ultramar Ltd., Shell Canada Products Limited, Imperial Oil Limited, Irving Oil Limited, Petro-Canada, Co-Op Atlantic, Superior Propane Inc., Wilson Fuels Ltd. and Buyertran Bunker Inc. Irving handles propane in addition to the other common petroleum products and Superior handles propane only. Currently, the Commission has approved prices relating to the supply of product to Wilson's dealers only (none of which exist in this Province at this time), and Buyertran handles only Bunker "C".

Following is annual statistical data in numerical and graph form involving numbers of licenses issued, retail licenses by classification, summary of total product sales, total gasoline sales, and total retail gasoline sales (excluding marine) for the calendar years 1990-1999 inclusive. Schedules also follow which indicate average maximum self-serve gasoline prices in effect in this Province as of February of each year for the years 1985 to 1999 inclusive.

Also provided are statistics relating to average gasoline volume per retail outlet (general merchant/service station/garage) and sales of gasoline by grades for the years 1990 to 1999 inclusive.

THE ISLAND REGULATORY AND APPEALS COMMISSION

Notice re Petroleum Prices

Approved Minimum and Maximum Prices

Following are the approved minimum & maximum pump prices in cents per litre of gasolines and diesel fuels in P.E.I. Prices include allowable dealer markups*, the taxes noted below and GST. Dealers may price anywhere within the ranges provided markup is consistent on all gasoline grades and at split-serve outlets, self-serve prices are at least one cent below full-serve prices.

BRAND	Full-Serve Pump Prices MIN. *(5.0)	Full-Serve Pump Prices MAX. (6.5)	Self-Serve Pump Prices MIN. (4.0)	Self-Serve Pump Prices MAX. (5.5)
ULTRAMAR				
Regular Unleaded	49.0	50.6	47.9	49.5
Mid-Grade Unleaded	51.1	52.8	50.1	51.7
Premium Unleaded	53.2	54.8	52.1	53.7
Low Sulphur Diesel	49.8	51.4	48.7	50.3
SHELL CANADA				
Regular Unleaded	49.0	50.6	47.9	49.5
Mid-Grade Unleaded	51.1	52.8	50.1	51.7
Premium Unleaded	53.2	54.8	52.1	53.7
Low Sulphur Diesel	49.6	51.3	48.6	50.2
IMPERIAL OIL				
Regular Unleaded	49.0	50.6	47.9	49.5
Mid-Grade Unleaded	51.1	52.8	50.1	51.7
Premium Unleaded	53.2	54.8	52.1	53.7
Low Sulphur Diesel	49.4	51.0	48.4	50.0
IRVING OIL				
Regular Unleaded	49.0	50.6	47.9	49.5
Mid-Grade Unleaded	51.1	52.8	50.1	51.7
Premium Unleaded	53.2	54.8	52.1	53.7
Low Sulphur Diesel	49.6	51.3	48.6	50.2
PETRO-CANADA				
Regular Unleaded	49.0	50.6	47.9	49.5
Mid-Grade Unleaded	51.1	52.8	50.1	51.7
Premium Unleaded	53.2	54.8	52.1	53.7
Low Sulphur Diesel	49.6	51.3	48.6	50.2
CO-OP ATLANTIC				
Regular Unleaded	49.1	50.7		
Mid-Grade Unleaded	51.3	52.9		
Premium Unleaded	53.3	54.9	N/A	
Low Sulphur Diesel	50.3	51.9		

PRICES INCLUDE Provincial Tax of 13.0 cents/litre on all grades of gasoline and 13.5 cents/litre on diesel fuel. Federal Excise Tax is 10.0 cents/litre on gasoline and 4.0 cents/litre on diesel.

POSTED FURNACE FUEL PRICES are as follows, PLUS 7% GST:

ULTRAMAR	26.9	**IRVING OIL**	26.8
SHELL CANADA	26.4	**PETRO-CANADA**	27.0
IMPERIAL OIL	26.4	**CO-OP ATLANTIC**	26.7

NOTE: Prices are in cents per litre and are based on dealer and posted consumer prices in effect as of 19 MARCH 1999. Prices may change without notice with approval or tax revision.

THE ISLAND REGULATORY AND APPEALS COMMISSION

Notice re Petroleum Prices

Approved Minimum and Maximum Prices

Following are the approved minimum & maximum pump prices in cents per litre of gasolines and diesel fuels in P.E.I. Prices include allowable dealer markups*, the taxes noted below and GST. Dealers may price anywhere within the ranges provided markup is consistent on all gasoline grades and at split-serve outlets, self-serve prices are at least one cent below full-serve prices.

BRAND	Full-Serve Pump Prices MIN. *(5.0)	Full-Serve Pump Prices MAX. (6.5)	Self-Serve Pump Prices MIN. (4.0)	Self-Serve Pump Prices MAX. (5.5)
ULTRAMAR				
Regular Unleaded	64.9	66.6	63.9	65.5
Mid-Grade Unleaded	67.1	68.7	66.0	67.6
Premium Unleaded	69.1	70.7	68.1	69.7
Low Sulphur Diesel	65.7	67.3	64.6	66.2
SHELL CANADA				
Regular Unleaded	64.6	66.2	63.6	65.2
Mid-Grade Unleaded	66.8	68.4	65.7	67.3
Premium Unleaded	68.8	70.4	67.7	69.3
Low Sulphur Diesel	65.3	66.9	64.2	65.8
IMPERIAL OIL				
Regular Unleaded	65.6	67.2	64.5	66.1
Mid-Grade Unleaded	67.7	69.3	66.7	68.3
Premium Unleaded	69.8	71.4	68.7	70.3
Low Sulphur Diesel	65.4	67.0	64.3	65.9
IRVING OIL				
Regular Unleaded	65.1	66.7	64.0	65.6
Mid-Grade Unleaded	67.2	68.8	66.1	67.7
Premium Unleaded	69.2	70.8	68.2	69.8
Low Sulphur Diesel	65.7	67.3	64.6	66.2
PETRO-CANADA				
Regular Unleaded	65.7	67.3	64.6	66.2
Mid-Grade Unleaded	67.8	69.4	66.8	68.4
Premium Unleaded	69.9	71.5	68.8	70.4
Low Sulphur Diesel	65.7	67.3	64.6	66.2
CO-OP ATLANTIC				
Regular Unleaded	64.5	66.1		
Mid-Grade Unleaded	66.7	68.3		
Premium Unleaded	68.7	70.3	N/A	
Low Sulphur Diesel	65.7	67.3		

PRICES INCLUDE Provincial Tax of 13.0 cents/litre on all grades of gasoline and 13.5 cents/litre on diesel fuel. Federal Excise Tax is 10.0 cents/litre on gasoline and 4.0 cents/litre on diesel.

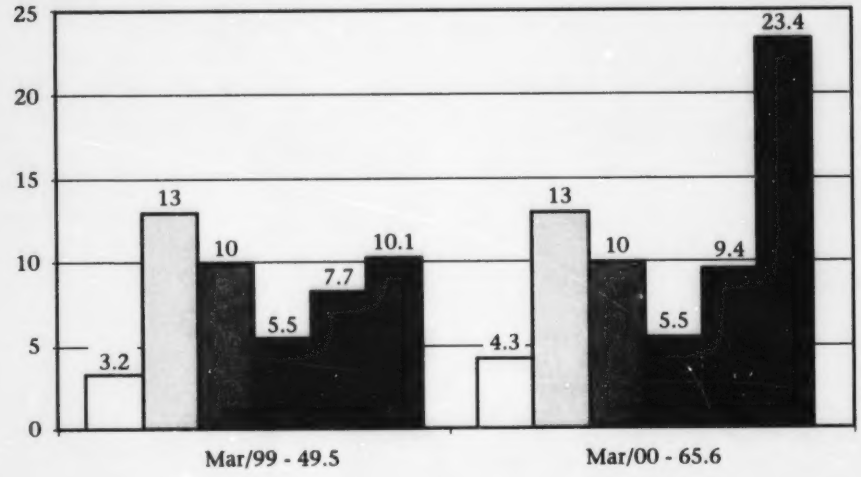
POSTED FURNACE FUEL PRICES are as follows, PLUS 7% GST:

ULTRAMAR	43.8	**IRVING OIL**	43.8
SHELL CANADA	43.0	**PETRO-CANADA**	43.7
IMPERIAL OIL	43.3	**CO-OP ATLANTIC**	43.1

NOTE: Prices are in cents per litre and are based on dealer and posted consumer prices in effect as of 1 MARCH 2000. Prices may change without notice with approval or tax revision.

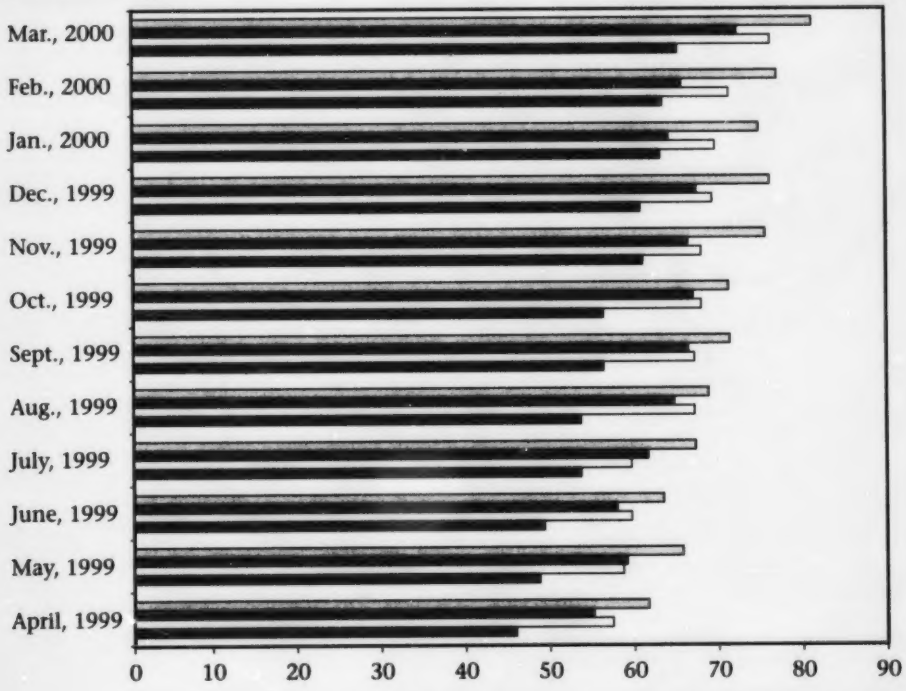
Regular Unleaded - Cents per Litre

- G.S.T.
- Province of P.E.I. Tax
- Federal Excise Tax
- Retail Dealer Margin
- Refinery Margin including freight
- Average Crude Cost



Regular Unleaded - Cents per Litre - Atlantic Region
April, 1999 to March, 2000

- St. John's
- Fredericton
- Halifax
- Charlottetown



	April 1999	May 1999	June 1999	July 1999	Aug. 1999	Sept. 1999	Oct. 1999	Nov. 1999	Dec. 1999	Jan. 2000	Feb. 2000	Mar. 2000
St. John's	61.9	65.4	63.9	66.4	68.9	71.2	72.9	72.9	75.9	75	76.7	82.9
Fredericton	55.1	58.7	57.9	61.3	64.5	65.9	66.5	66	67	64.1	65.2	72.9
Halifax	57.4	59.4	59.9	59.9	66.1	66.9	66.9	67.5	69.7	69.9	71.3	76.1
Ch'town	47.9	49.3	49.7	53.9	53.4	56.7	56.8	61.3	61.3	63.1	63.5	65.7

TABLE 1

Summary of Licenses Issued Under the Petroleum Products Act

Year	Total	Wholesalers	Retail Outlets	Retail Distributors	Tank Trucks
1999	361	9	224	27	101
1998	364	9	225	30	100
1997	380	9	227	35	109
1996	395	8	247	34	106
1995	405	7	255	35	108
1994	414	8	264	36	106
1993	420	8	272	36	104
1992	426	8	274	36	108
1991	444	8	285	39	112
1990	459	10	298	40	111

Note: In addition to the above-noted licenses, since 1992, Slemon Park Corporation has been licensed with respect to the sale of aviation fuels.

TABLE 2

Summary of Retail Outlets by Classification

Year	Total	Stations	Merchants	Garages	Marine	Propane
1999	224	66**	63	10	78	7******
1998	225	69**	60	10	78	8*****
1997	227	77**	55	11	75	9****
1996	247	87**	50	11	87	12***
1995	255	91**	51	12	89	12***
1994	264	98**	50	13	91	12
1993	272	105**	50	13	93	11
1992	274	106**	51	14	92	11
1991	285	112*	51	16	94	12
1990	298	119*	50	20	97	12

****** In addition, twenty dealers of other classes also retail propane
***** In addition, twenty-three dealers of other classes also retail propane
**** In addition, twenty-two dealers of other classes also retail propane
*** In addition, twenty-four dealers of other classes also retail propane
** Two Commercial Diesel Cardlocks included in Stations
* One Commercial Diesel Cardlock included in Stations

TABLE 3

Summary of Petroleum Products Sold (in litres)

Year	Total	Gasoline	Fuel Oils	Diesel	Propane
1999	472,646,329	209,254,079	170,140,141	74,360,432	18,891,677
1998	462,011,050	195,446,662	170,331,531	77,797,268	18,435,589
1997*	478,756,167	193,759,312	189,509,152	75,629,092	19,858,611
1996	462,822,031	191,452,938	172,685,213	77,550,021	21,133,859
1995	449,514,976	186,554,592	171,323,704	72,173,046	19,463,634
1994	445,284,824	185,149,709	179,361,223	61,693,597	19,080,313
1993	428,573,875	177,959,704	177,041,370	55,546,736	18,026,065
1992	409,415,920	173,188,232	164,002,469	54,890,642	17,334,577
1991	406,363,488	173,439,206	161,000,101	54,916,074	17,008,107
1990	432,473,283	184,143,150	165,724,016	65,878,582	16,727,535

* 1997 figures differ from those contained in our previous report due to product transferred between wholesalers being reported as sold.

TABLE 4

***Retail Dealers - Gasoline Volume Statistics**

Year	Volume (Litres)	Number of Outlets	Average Volume/Outlet
1999	196,411,799	137	1,433,663
1998	185,286,424	140	1,323,474
1997	179,614,986	141	1,273,865
1996	175,216,972	146	1,200,116
1995	171,511,737	152	1,128,367
1994	168,349,978	159	1,058,805
1993	162,234,393	166	977,316
1992	157,574,624	170	926,910
1991	156,675,026	177	885,170
1990	162,608,356	187	869,563

* Service Stations/Garages/General Merchants

FIGURE 1

Summary of Retail Outlets

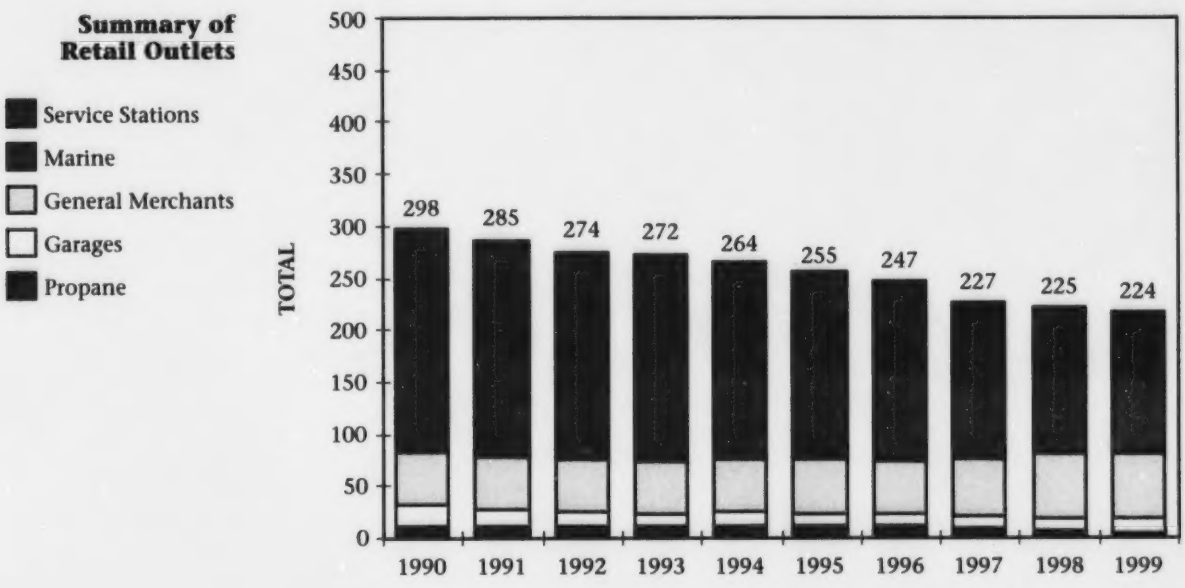


FIGURE 2

Summary of Total Sales

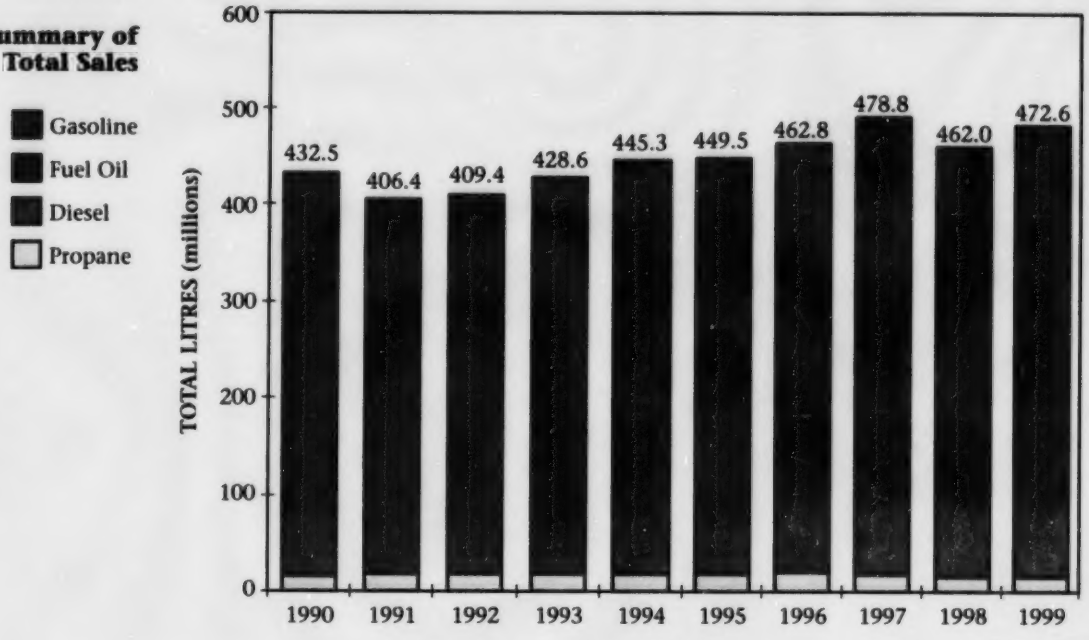


FIGURE 3

Summary of Gasoline Sales Retail
(Excluding Marine)

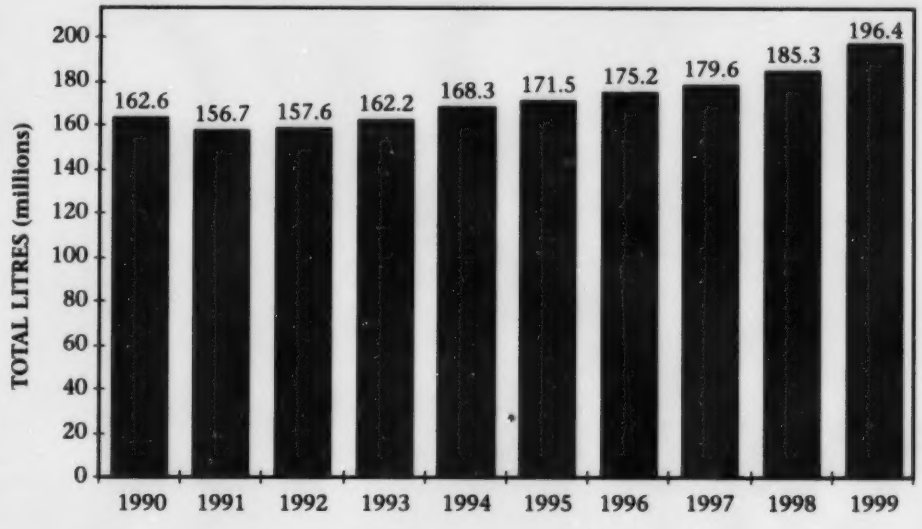


FIGURE 4

Summary of Total Gasoline Sales

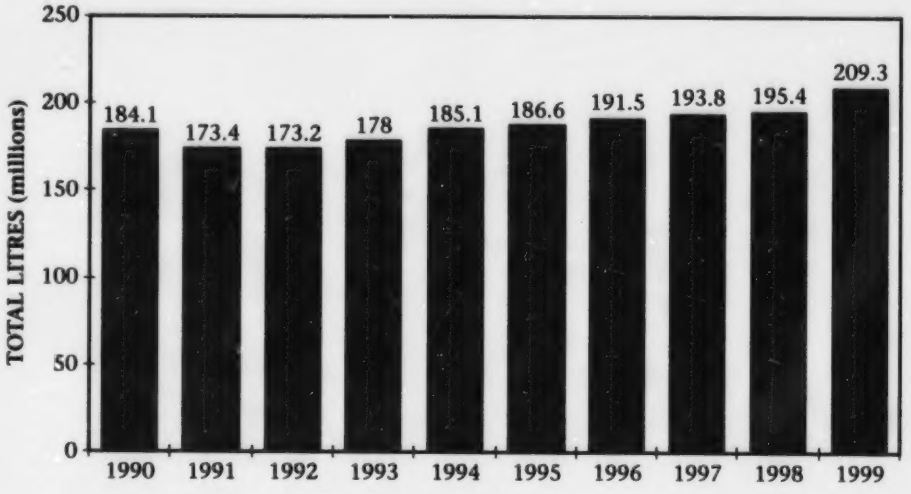
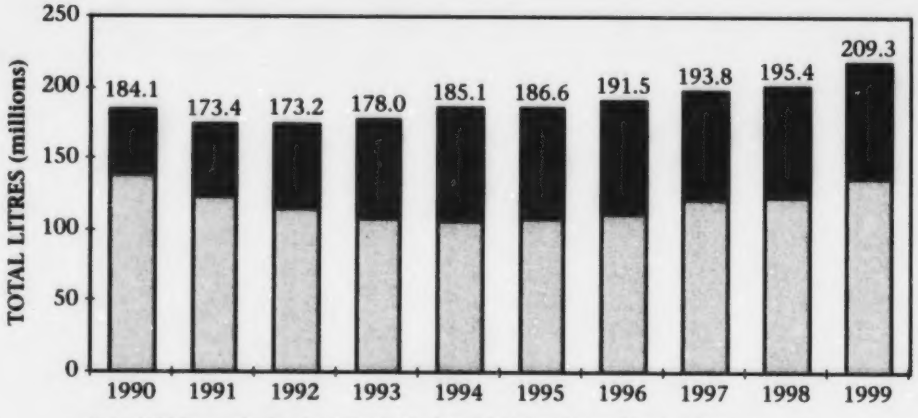


FIGURE 5

Sales of Gasoline by Grades

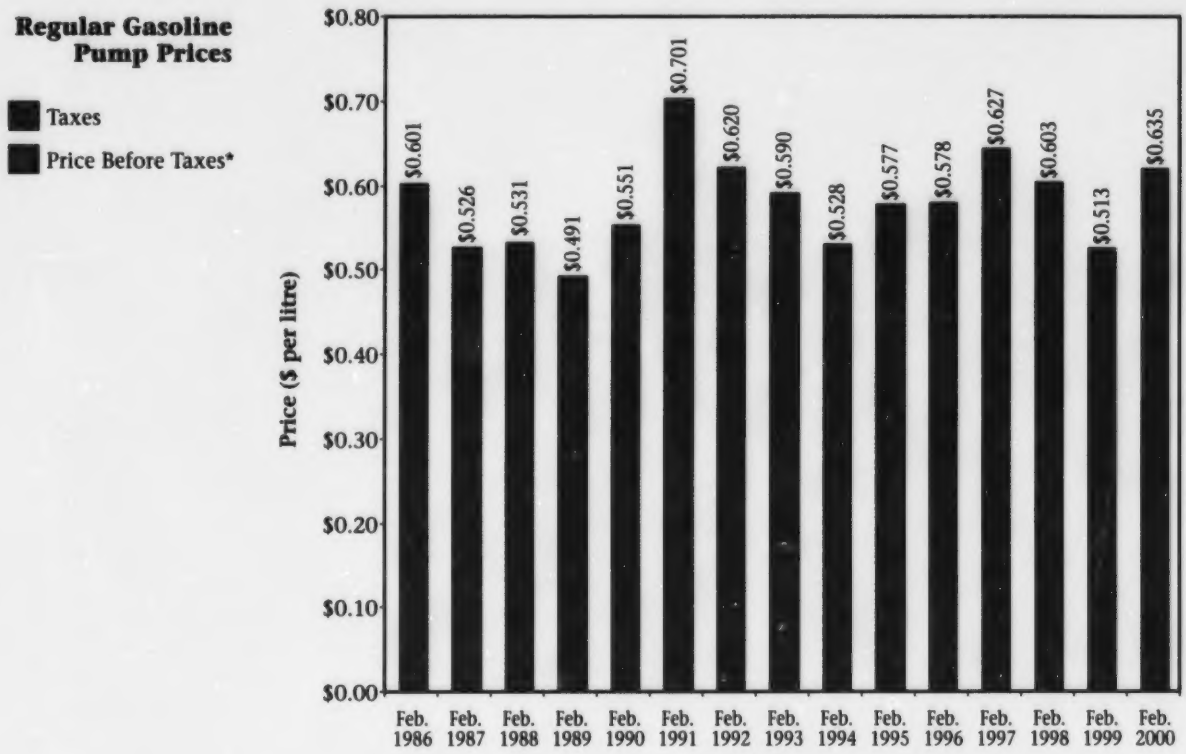
Premium Unleaded
Mid-Grade Unleaded
Regular Unleaded



Note: 1990 Figures for Regular Unleaded Include 2.3 Million Litres of Leaded Gasoline

FIGURE 6

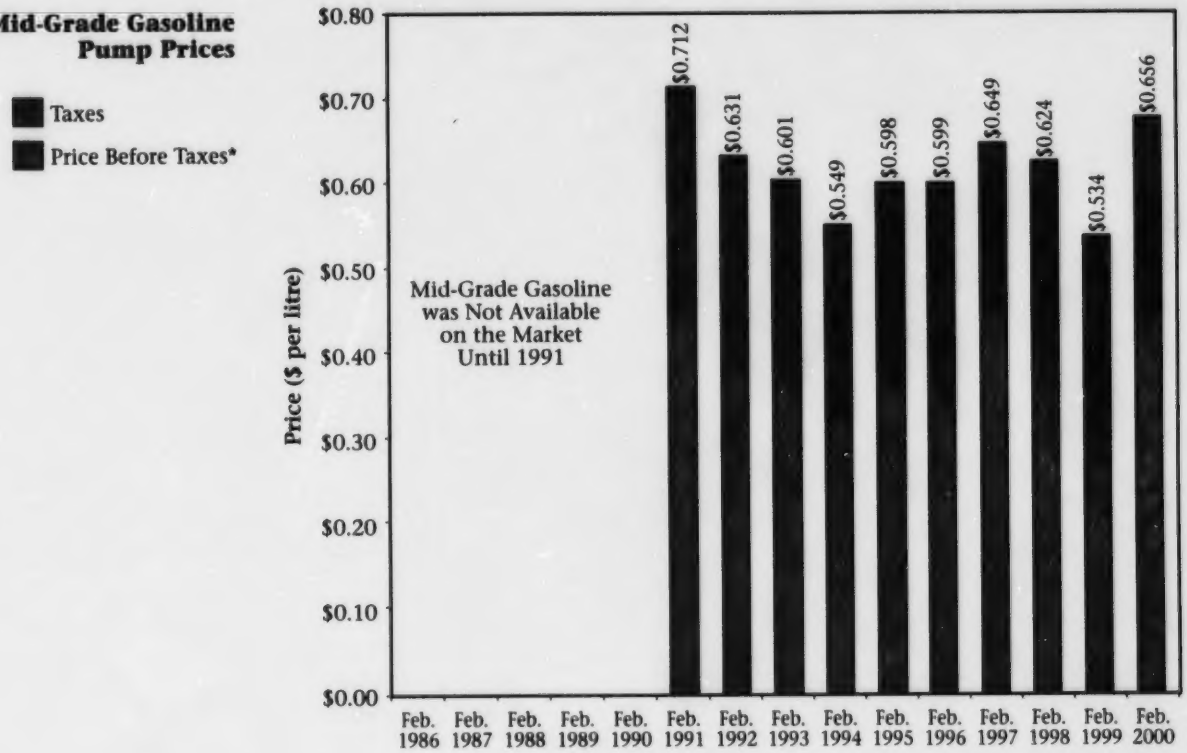
Regular Gasoline Pump Prices



*Includes average dealer markup of 5.5 cents per litre

FIGURE 7

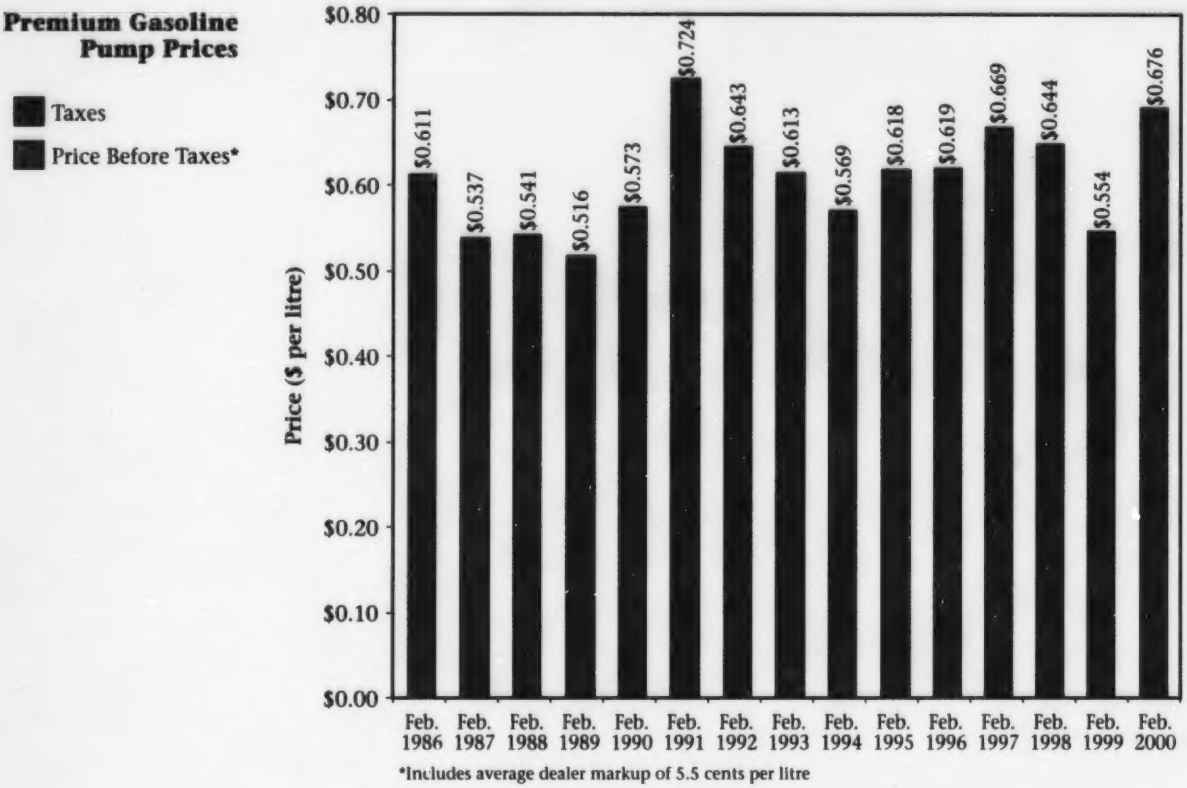
Mid-Grade Gasoline Pump Prices



*Includes average dealer markup of 5.5 cents per litre

FIGURE 8

Premium Gasoline Pump Prices



*Includes average dealer markup of 5.5 cents per litre

Summary of Orders Issued
1 April 1999 to 31 March 2000

Date	Order No.	Re.
99/04/20	P.990420	Decision and Order re application by Melody Enterprises Inc. (D. W. MacIsaac) for a change in the class of license issued with respect to Highfield Service Station. P.990420. (Approved.)
99/04/28	P.990428-1	Decision and Order re application by Ultramar Ltd. for increases in dealer and posted consumer pricing schedules, based on crude oil costs. (Increases in dealer and consumer schedules.)
99/04/28	P.990428-2	Decision and Order re application by Shell Canada Products Limited for increases in dealer and posted consumer pricing schedules, based on crude oil costs. (Increases in dealer and consumer schedules.)
99/04/28	P.990428-3	Decision and Order re application by Imperial Oil Limited for increases in dealer and posted consumer pricing schedules, based on crude oil costs. (Increases in dealer and consumer schedules.)
99/04/28	P.990428-4	Decision and Order re application by Irving Oil Limited for increases in dealer and posted consumer pricing schedules, based on crude oil costs. (Increases in dealer and consumer schedules.)
99/04/28	P.990428-4A	Decision and Order re application by Irving Oil Limited for amendments to propane pricing schedule. (Increases in prices except for those sold under "Cylinder Exchange Centres".)
99/04/28	P.990428-5	Decision and Order re application by Petro-Canada for increases in dealer and posted consumer schedules, based on crude oil costs. (Increases in dealer and consumer schedules.)
99/04/28	P.990428-7	Decision and Order re application by Wilson Fuel Co. Limited for increases in dealer pricing schedules, based on crude oil costs. (Increases in dealer schedule.)
99/05/21	P.990521-5	Decision and Order re application by Petro-Canada for increases in gasoline prices in dealer pricing schedule, based on non-crude costs. (Increases in dealer gasoline only.)
99/05/25	P.990525-5	Decision and Order re application by Petro-Canada for increase in diesel prices in dealer pricing schedule, based on non-crude costs. (Increase in dealer diesel only.)
99/06/28	P.990628-1	Decision and Order re application by Ultramar Ltd. for increases in dealer and posted consumer pricing schedules, based on crude oil costs. (Increases in dealer and consumer schedules.)
99/06/28	P.990628-2	Decision and Order re application by Shell Canada Products Limited for increases in dealer and posted consumer pricing schedules, based on crude oil costs. (Increases in dealer and consumer schedules.)
99/06/28	P.990628-3	Decision and Order re application by Imperial Oil Limited for increases in dealer and posted consumer pricing schedules, based on crude oil costs. (Increases in dealer and consumer schedules.)
99/06/28	P.990628-4	Decision and Order re application by Irving Oil Limited for increases in dealer and posted consumer pricing schedules, based on crude oil costs. (Increases in dealer and consumer schedules.)

Summary of Orders Issued
1 April 1999 to 31 March 2000

Date	Order No.	Re.
99/06/28	P.990628-5	Decision and Order re application by Petro-Canada for increases in dealer and posted consumer schedules, based on crude oil costs. (Increases in dealer and consumer schedules.)
99/06/28	P.990628-7	Decision and Order re application by Wilson Fuel Co. Limited for increases in dealer pricing schedules, based on crude oil costs. (Increases in dealer schedule.)
99/06/29	P.990629-4A	Decision and Order re application by Irving Oil Limited for restructuring of its propane schedule and for an increase of 1.4 cpl in all propane product prices, with the exception of that sold through exchange centres, based on increased propane acquisition costs. (Approved.)
99/07/07	P.990707	Decision and Order re application of 150540 Canada Ltd., Richmond for initial licensing in respect of split-serve motor fuels dispensing in conjunction with a specialty store, fast food restaurant and car wash to be located on Granville Street North in Summerside. (Approved.)
99/08/04	P.990804-2A	Decision and Order re application of Superior Propane Inc., Charlottetown for revisions to its pricing schedule and increases in propane prices in the amount of 2.75 cpl. (Schedule restructured and prices increased.)
99/08/26	P.990826	Decision and Order re application by Melody Enterprises Inc. (D. W. MacIsaac, President) for approval of revised plans re Highfield Service Station. (Approved.)
99/08/30	P.990830-1	Decision and Order re application by Ultramar Ltd. for increases in dealer and posted consumer pricing schedules, based on crude oil costs. (Increases in dealer and consumer schedules.)
99/08/30	P.990830-2	Decision and Order re application by Shell Canada Products Limited for increases in dealer and posted consumer pricing schedules, based on crude oil costs. (Increases in dealer and consumer schedules.)
99/08/30	P.990830-3	Decision and Order re application by Imperial Oil Limited for increases in dealer and posted consumer pricing schedules, based on crude oil costs. (Increases in dealer and consumer schedules.)
99/08/30	P.990830-4	Decision and Order re application by Irving Oil Limited for increases in dealer and posted consumer pricing schedules, based on crude oil costs. (Increases in dealer and consumer schedules.)
99/08/30	P.990830-5	Decision and Order re application by Petro-Canada for increases in dealer and posted consumer schedules, based on crude oil costs. (Increases in dealer and consumer schedules.)
99/08/30	P.990830-4A	Decision and Order re application by Irving Oil Limited for increase in propane pricing schedule, based on increased acquisition costs, with the exception of that sold through exchange centres. (Approved.)

Summary of Orders Issued
1 April 1999 to 31 March 2000

Date	Order No.	Re.
99/09/02	P.990902-7	Decision and Order re application by Wilson Fuel Co. Limited for increase in dealer pricing schedule, based on crude oil costs. (Increase in dealer pricing schedule.)
99/10/14	P.991014-2	Decision and Order re application by Superior Propane Inc. for increase in propane pricing schedule, based on acquisition costs. (Increase in pricing schedule.)
99/10/28	P.991028-1	Decision and Order re application by Ultramar Ltd. for increase in all prices in dealer and consumer pricing schedules, due to increased crude oil costs. (Increase in dealer and consumer pricing schedules.)
99/10/28	P.991028-2	Decision and Order re application by Shell Canada Products Limited for increase in all prices in dealer and consumer pricing schedules, due to increased crude oil costs. (Increase in dealer and consumer pricing schedules.)
99/10/28	P.991028-3	Decision and Order re application by Imperial Oil Limited for increase in all prices in dealer and consumer pricing schedules, due to increased crude oil costs. (Increase in dealer and consumer pricing schedules.)
99/10/28	P.991028-4	Decision and Order re application by Irving Oil Limited for increase in all prices in dealer and consumer pricing schedules, due to increased crude oil costs. (Increase in dealer and consumer pricing schedules.)
99/10/28	P.991028-4A	Decision and Order re application by Irving Oil Limited for increase in propane pricing schedule. (Increase in product prices contained in presently approved schedule.)
99/10/28	P.991028-5	Decision and Order re application by Petro-Canada for increase in all prices in dealer and consumer pricing schedules, due to increased crude oil costs. (Increase in dealer and consumer pricing schedules.)
99/10/28	P.991028-7	Decision and Order re application by Wilson Fuel Co. Limited for increase in all prices in dealer pricing schedule, due to increased crude oil costs. (Increase in dealer pricing schedule.)
99/12/10	P.991210-6	Decision and Order re application by Consumers Direct Charge Co-Op for changes in allowable markups at its full-serve operation to those set forth in Commission Order No. P.910424, restricted to members only. (Approved.)
99/12/29	P.991229-1	Decision and Order re application by Ultramar Ltd. for increase in all prices in dealer and consumer pricing schedules, due to increased crude oil costs. (Increase in dealer and consumer pricing schedules.)
99/12/29	P.991229-2	Decision and Order re application by Shell Canada Products Limited for increase in all prices in dealer and consumer pricing schedules, due to increased crude oil costs. (Increase in dealer and consumer pricing schedules.)

Summary of Orders Issued
1 April 1999 to 31 March 2000

Date	Order No.	Re.
99/12/29	P.991229-3	Decision and Order re application by Imperial Oil Limited for increase in all prices in dealer and consumer pricing schedules, due to increased crude oil costs. (Increase in dealer and consumer pricing schedules.)
99/12/29	P.991229-4	Decision and Order re application by Irving Oil Limited for increase in all prices in dealer and consumer pricing schedules, due to increased crude oil costs. (Increase in dealer and consumer pricing schedules.)
99/12/29	P.991229-4A	Decision and Order re application by Irving Oil Limited for increase in propane pricing schedule. (Increase in product prices contained in presently approved schedule.)
99/12/29	P.991229-5	Decision and Order re application by Petro-Canada for increase in all prices in dealer and consumer pricing schedules, due to increased crude oil costs. (Increase in dealer and consumer pricing schedules.)
99/12/29	P.991229-6	Decision and Order re application by Co-Op Atlantic for increase in all prices in dealer and consumer pricing schedules, due to increased crude oil costs. (Increase in dealer and consumer pricing schedules.)
99/12/29	P.991229-7	Decision and Order re application by Wilson Fuel Co. Limited for increase in all prices in dealer pricing schedule, due to increased crude oil costs. (Increase in dealer pricing schedule.)
00/01/11	P.000111-2	Decision and Order re application by Superior Propane Inc. for increases in propane pricing schedule, due to increased acquisition costs. (Increase in propane pricing schedule.)
00/01/14	P.000114-3	Decision and Order re application by Imperial Oil Limited for increases in prices of all grades of gasoline, based on recovery costs associated with meeting federal standards regarding benzene content. (Increases in all grades of gasoline in dealer and posted consumer schedules.)
00/01/19	P.000119-6	Decision and Order re application by Consumers Direct Charge Co-Op Ass'n. Ltd. to remove a condition attached to Petroleum Products License No. D9096-00 restricting sales to members only. (Consumers Direct Charge Co-Op Ass'n. Ltd. licensing conditions removed which had restricted sales to members only.)
00/02/10	P.000210-2A	Decision and Order re application by Superior Propane Inc. for increases in the propane prices in all categories. (Increase in propane prices in all categories.)
00/02/10	P.000210-6	Decision and Order re application by Petro-Canada for increase in the prices of all grades of gasoline in dealer and consumer schedules, due to increased costs to meet benzene regulations. (Increase in gasoline prices in dealer and consumer schedules.)

Summary of Orders Issued
1 April 1999 to 31 March 2000

Date	Order No.	Re.
00/02/15	P.000215-0	Decision and Order re posted consumer prices of furnace fuel and stove oil currently in effect as a result of various Commission Orders issued under the Petroleum Products Act. (Increase of 2.0 cents per litre in the price of furnace fuel and 1.0 cent per litre in the price of stove oil for each wholesaler.)
00/02/28	P.000228-1	Decision and Order re application by Ultramar Ltd. for increase in all prices in dealer and consumer pricing schedules, due to increased crude oil costs. (Increase in dealer and consumer pricing schedules.)
00/02/28	P.000228-2	Decision and Order re application by Shell Canada Products Limited for increase in all prices in dealer and consumer pricing schedules, due to increased crude oil costs. (Increase in dealer and consumer pricing schedules.)
00/02/28	P.000228-3	Decision and Order re application by Imperial Oil Limited for increase in all prices in dealer and consumer pricing schedules, due to increased crude oil costs. (Increase in dealer and consumer pricing schedules.)
00/02/28	P.000228-4	Decision and Order re application by Irving Oil Limited for increase in all prices in dealer and consumer pricing schedules, due to increased crude oil costs. (Increase in dealer and consumer pricing schedules.)
00/02/28	P.000228-4A	Decision and Order re application by Irving Oil Limited for increase in propane pricing schedule. (Increase in product prices contained in presently approved schedule.)
00/02/28	P.000228-5	Decision and Order re application by Petro-Canada for increase in all prices in dealer and consumer pricing schedules, due to increased crude oil costs. (Increase in dealer and consumer pricing schedules.)
00/02/28	P.000228-6	Decision and Order re application by Co-Op Atlantic for increase in all prices in dealer and consumer pricing schedules, due to increased crude oil costs. (Increase in dealer and consumer pricing schedules.)
00/02/28	P.000228-7	Decision and Order re application by Wilson Fuel Co. Limited for increase in all prices in dealer pricing schedule, due to increased crude oil costs. (Increase in dealer pricing schedule.)
00/02/28	P.000228-2A	Decision and Order re application by Superior Propane Inc. for increases in propane pricing schedule, due to increased acquisition costs. (Increase in propane pricing schedule.)

MOVEMENT OF BUILDINGS/STRUCTURES

Summary of Moves

Petroleum Division staff is also responsible for the issuance of authorizations with respect to the movement of buildings and/or other structures under the *Electric Power and Telephone Act*. During the fiscal year ending 31 March 2000, the following persons applied for and received permission to move buildings which involved the raising or cutting of overhead wires or cables:

NUMBER	NAME	ADDRESS
1297	Doug Young	Charlottetown, P.E.I.
1298	Kelvin Poirier	Tyne Valley, P.E.I.
1299	Marshall MacPherson Ltd. (on behalf of Simon Compton)	Stratford, P.E.I.
1301	Perry Construction Ltd. (on behalf of Marine Rail Historic Park)	Tignish, P.E.I.
1302	Perry Construction Ltd. (on behalf of Marine Rail Historic Park)	Tignish, P.E.I.
1303	P.D. Construction Ltd. (on behalf of Marsha Halsall)	Winsloe R.R.#10, P.E.I.
1304	Glen Laird	Borden-Carleton, P.E.I.
1305	Perry Construction Ltd. (on behalf of Warren Ellis)	Tignish, P.E.I.
1306	Benny Creed	Montague R.R. #4, P.E.I.
1307A	Chris Collings	Montague R.R. #1, P.E.I.
1308	P.D. Construction Ltd. (on behalf of Friends of Farmer's Banks of Rustico)	Winsloe R.R.#10, P.E.I.
1309	Clayton Harris	O'Leary R.R. #1, P.E.I.
1310A	Friend Herring	Charlottetown, P.E.I.
1311	Arnold Smith	Plesant Valley, P.E.I.
1312	Susan & Kenneth MacLeod	Montague, P.E.I.
1313	Bart Bourne	Kensington, P.E.I.

Permits were issued based on administrative fees of $75.00 for the first utility involved, plus $25.00 for each additional utility involved. If extensions were required, an administrative fee of $20.00 for each utility involved was charged. In addition to the issuance of the above-noted permits, staff gave consideration to several additional applications, which after review, resulted in determinations that the proposed moves would not involve the interruption of power or the cutting of telephone lines or cables.

Residential
Rental
Property
Division

Residential Rental Property Division
1 April 1999 to
31 March 2000

I. INTRODUCTION

The Division is responsible for the administration of the *Rental of Residential Property Act*, primarily dealing with disputes between lessors and lessees.

The following outlines the major roles and responsibilities of the Division and the level of activity under each of the related statutes. Statistical information is based upon the fiscal year from April 1, 1999 to March 31, 2000.

II. RENTAL OF RESIDENTIAL PROPERTY ACT

The administration of the *Rental of Residential Property Act* is carried out by the Rental Division, while the Commission hears appeals from the decisions of the Director of Residential Rental Property and those rental officers who have been delegated decision making power by the Director.

The *Act* establishes the obligations and responsibilities of the parties to rental agreements for residential premises. Procedures are set out to deal with violations and to enforce obligations under rental agreements. The *Act* sets out mechanisms whereby violations are expeditiously handled and the system is readily accessible to all parties. The *Act* outlines, among other things, procedures for the enforcement of statutory conditions, the handling of security deposits, the termination of rental agreements, rent owing and properly increasing rent.

The Division has exclusive responsibility for the administration of the *Act* and Regulations. The Director of the Division is responsible for:

- Providing information to the public to promote understanding of rights and responsibilities under this *Act*;
- Advising lessors and lessees with respect to matters relating to rental agreements;
- Receiving and investigating allegations of violations of rental agreements, or of the *Act* or the Regulations;
- Holding hearings, giving notice thereof to the parties, determining matters of procedure at hearings and making decisions or orders with respect to matters relating to the rights of lessors or lessees arising pursuant to this *Act*; and
- Entering and inspecting residential premises, after serving an inspection order, for the purpose of carrying out the powers or duties under this *Act* or the Regulations.

As a result of legislative changes, the *Act* now applies to all premises licensed under the *Tourism Industry Act* where guests rent such premises for a continuous period of one month or more.

The *Act* is administered on a province-wide basis with the majority of hearings being held at the offices of the Commission. Hearings are also held at the various Regional Services Centres when the housing unit involved is in that regional area.

During 1999-00 the Division received 277 new applications concerning rental matters (see Table 1 and Figure 1) and issued 226 orders (see Table 2) on those applications. During the 1998-99 reporting period the Division received 252 new applications and issued 215 orders. In 1999-00 the Division received 13,877 inquiries, which is an increase of approximately 2% from the 1998-99 level of 13,588 inquiries. (see Table 3).

The following sections outline the level of activity under the main sections of the *Act*.

A. Enforcement of Statutory or Other Conditions of a Rental Agreement

The statutory conditions are those obligations of either the lessor (landlord) or the lessee (tenant) as set out in the *Act* and the standard form of rental agreement. Statutory conditions include such issues as: good behavior, condition of the premises, subletting of the premises, and late payment penalty. Other conditions of a rental agreement include the return of

security deposits and rent owing. Recent amendments to the *Act* provide for a process for dealing with personal property abandoned by tenants. In all cases the parties are encouraged to resolve disputes after their rights are explained. When this is unsuccessful, an application is received and processed by investigation and/or hearing.

During the reporting period the Division received 183 applications involving statutory or other conditions. This is a decrease of 9 over the previous year's total of 192 applications.

B. Security Deposits

The *Act* sets out the handling and processing requirements for security deposits taken as a condition of the rental agreement. The lessor is required to deposit the funds at a financial institution in a designated trust account and interest accrues to the lessee while the deposit is held. Within 10 days of the lessee delivering up possession of the premises, the lessor is to return the deposit with interest. The lessor may retain all or a portion of the deposit to cover damages or unpaid rent but if this is done, the lessee must be advised of the nature and amount of charges made. If an agreement is not reached between the parties, the lessee may request a decision by the Director at which time the deposited funds are forwarded and held in trust by the Director. An investigation is then carried out and a decision is rendered.

The Division received 27 applications involving security deposits during this reporting period. This is an increase of 2 over the previous year's total of 25 applications.

C. Termination of Rental Agreements

The *Act* provides for limited security of tenure for the lessee whereby the lessee must be given in writing the proper notice and the reason for the termination of the rental agreement. Termination is allowed only for the reasons set out in Sections 13, 14 and 15 of the *Act*.

In 1999-00, the Division received 56 applications involving the termination of rental agreements during the reporting period. This represents an increase of 29 from the previous year's level of 27 applications.

D. Rent Increases

Each year the Director invites written representation from lessors and lessees to assist in establishing the annual prescribed percentage rent increase. The Director is responsible for preparing background material for the Commission on this issue, with the Commission responsible for making the decision on the allowable percentage rent increase for the coming year. The allowable percentage rent increase for 1999 was 1.0%. Any rent increase exceeding the established amount requires approval by the Director before being charged and collected.

During the reporting period the Division received 11 applications involving rent increases. This represents an increase of 3 from the previous year's level of 8 applications.

E. Appeals to the Commission

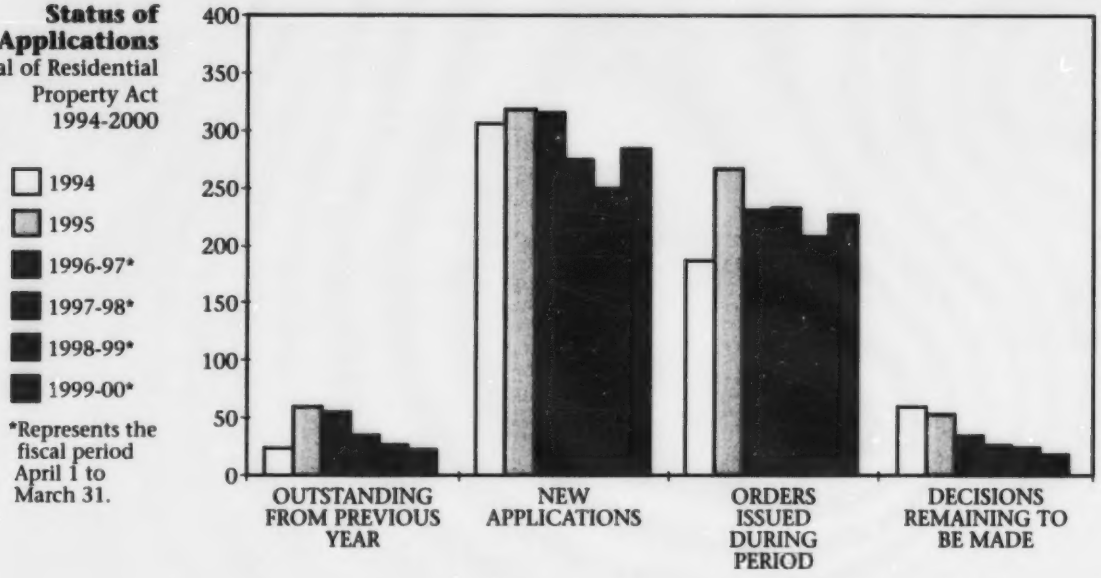
The Commission has the power to hear appeals from the decisions of the Director. Of the 226 orders issued on rental matters during the reporting period, 7 were appealed and resulted in Commission decisions. During 1998-99 there were 13 appealed of the 215 orders issued.

F. Significant Events

During this reporting period, the Division continued to automate its information management system to assist with tracking and reporting rental applications and rental inquiries. The system allows for up-to-date information to be accessed and includes such data as the nature of the application or the inquiry, the parties involved and the current status of applications.

FIGURE 1

Status of Applications
Rental of Residential Property Act
1994-2000



*Represents the fiscal period April 1 to March 31.

TABLE 1

Nature of New Applications
Rental of Residential Property Act
1994-2000

NATURE OF NEW APPLICATIONS	1994	1995	1996 -97*	1997 -98*	1998 -99*	1999 -00*
DETERMINATION OF SECURITY DEPOSITS	21	26	9	29	25	27
BREACH OF STATUTORY CONDITIONS						
Condition of Premises	22	16	34	25	24	25
Services	8	11	12	5	3	10
Good Behavior	0	1	0	1	0	0
Lessee Cleanliness and/or Damages	1	0	0	0	0	0
Sublet by Lessee	0	0	0	0	0	0
Entry of Premises	2	1	2	1	1	0
Entry Doors	1	0	1	1	0	1
Late Penalty Payment	0	0	0	0	0	0
Quiet Enjoyment	0	2	2	1	5	1
Mobile Homes	0	0	0	0	2	1
Lessee Delivery of Possession	34	45	61	40	37	56
Security Deposit	41	35	26	33	18	15
Rent	110	114	92	81	96	64
Other	0	0	3	4	6	10
TERMINATION	42	48	55	38	27	56
RENT INCREASE	20	19	19	15	8	11
TOTAL	302	318	316	274	252	277

* Represents the fiscal period April 1 to March 31.

TABLE 2

Orders Issued
Rental of Residential Property Act 1994-2000

	1994	1995	1996 -97*	1997 -98*	1998 -99*	1999 -00*
Determination of Security Deposits	11	27	9	26	20	28
Breach of Statutory Conditions	136	190	177	164	163	152
Termination	26	32	27	27	22	37
Rent Increase	13	18	17	14	10	9
TOTAL	**186**	**267**	**230**	**231**	**215**	**226**

* Represents the fiscal period April 1 to March 31.

TABLE 3

Inquiries
Rental of Residential Property Act 1994-2000

NATURE OF INQUIRY	1994	1995	1996 -97*	1997 -98*	1998 -99*	1999 -00*
BREACH OF STATUTORY CONDITIONS						
Condition of Premises	551	765	1,151	1,003	980	1,450
Services	325	485	841	612	509	541
Good Behavior	76	102	494	333	232	427
Lessee Cleanliness and/or Damages	38	173	400	764	780	612
Sublet by Lessee	16	44	20	27	55	52
Entry of Premises	142	160	275	248	246	248
Entry Doors	28	52	87	55	50	71
Late Penalty Payment	7	10	12	9	10	11
Quiet Enjoyment	64	237	126	90	138	229
Lessee Delivery of Possession	207	390	573	392	418	476
Mobile Homes	13	3	20	17	92	79
Rent	1,243	2,502	3,468	2,748	2,741	2,818
Other Statutory Conditions	76	349	287	231	315	361
No Statutory Condition Specified	0	0	0	0	0	0
SECURITY DEPOSITS	1,251	1,744	1,821	1,964	1,849	1,646
TERMINATION	2,117	2,983	3,748	3,357	3,182	3,240
RENT INCREASE	830	927	714	598	472	505
OTHER	846	451	1,150	1,576	1,519	1,111
TOTAL	**7,830**	**11,377**	**15,187**	**14,024**	**13,588**	**13,877**

Note: There are some (Office or Telephone) calls which involve more than one category inquiry.
*Represents the fiscal period April 1 to March 31.

Technical Services Division Report

Technical Services Division Report

1. Introduction

The Technical Services Division is the technical support arm of the Commission. The Division's primary responsibilities focus on information technology planning, management and support. The Division also monitors or regulates 2 electric utilities and some 26 municipal and private water-sewer utilities in the Province. In addition, the Division is responsible for the administration of certain tax appeals.

Specific areas of utility regulation and responsibility that fall under the Division are derived from the *Electric Power and Telephone Act*, the *Maritime Electric Company Limited Regulation Act*, the *Water and Sewerage Act*, and sections of the *Revenue Administration Act*.

In the area of electric utilities, limited sections of the *Electric Power and Telephone Act*[1] continue to apply to both Maritime Electric Company, Limited and the City of Summerside Municipal Electric Utility. Under the *Maritime Electric Company Limited Regulation Act*, the Commission's role is limited to that of monitoring the utility's compliance with the legislation as well as the disposition of formal complaints. Under the *Electric Power and Telephone Act City of Summerside Electric Utility Exemption Regulations* — which came into force on February 24, 1996 — a similar regime of compliance monitoring and complaint disposition has been established. Both utilities are now effectively exempt from economic regulation.

Effective January 1, 1998, rates charged by Maritime Electric under the *Maritime Electric Company Limited Regulation Act* were benchmarked against rates charged by the New Brunswick Power Corporation (NB Power). Under the *City of Summerside Electric Utility Exemption Regulations*, Summerside Electric's rates were similarly established.

[1] Telecommunications regulation in Prince Edward Island is a federal responsibility administered by the Canadian Radio-television and Telecommunications Commission (CRTC).

Specifically, sections 7.(2) and 7.(4) of the *Maritime Electric Company Limited Regulation Act* state as follows:

> *7. (2) The Utility shall file a tariff as and when required, to provide that on January 1, 1995, July 1, 1995, January 1, 1996, July 1, 1996, January 1, 1997 and July 1, 1997 the rates shall be reduced by one percent, so that each rate shall be 99% of the equivalent rate in effect in the immediately preceding six month period.*
>
> *7. (4) The Utility shall file a tariff to be effective January 1, 1998, under which the rates shall be such that the amounts payable by customers in each rate classification shall not exceed 110% of the amount that would be payable if the customers in that classification were served in New Brunswick by the New Brunswick Power Corporation.*

Sections 2. (e), (f) and (g) of the *Electric Power and Telephone Act City of Summerside Electric Utility Exemption Regulations* provide as follows:

> *2.(e) that customers of the utility located outside the boundaries of the City of Summerside receive service at the same rates as customers inside the boundaries of the City of Summerside, to December 31, 1997;*
>
> *(f) that effective January 1, 1998, customers of the utility located outside the boundaries of the City of Summerside shall receive service at rates which shall not exceed 110% of the amount that would be payable if the customers in that classification were served in New Brunswick by the New Brunswick Power Corporation;*
>
> *(g) that prior to January 1, 1998, the utility shall file terms and conditions and ancillary charges under which the utility shall provide service after January 1, 1998 to customers of the utility located outside the boundaries of the City of Summerside, using the following criteria:*
>
> > *(i) the ancillary charges shall not exceed 110% of the most nearly equivalent ancillary charges imposed or required by*

the New Brunswick Power Corporation of its customers in New Brunswick, and

(ii) the terms and conditions of service shall, in their entirety be not less favourable to the utility's customers generally, than are the most equivalent terms and conditions of service of the New Brunswick Power Corporation to its customers in New Brunswick.

Under the *Water and Sewerage Act*, the Commission regulates certain[2] municipal and private utilities operating water or wastewater management facilities in Prince Edward Island, including establishing and monitoring rates for these utilities.

Under the *Revenue Administration Act*, the Commission acts as an appellate tribunal that hears appeals from decisions of the Provincial Tax Commissioner in relation to tax assessments under provincial revenue acts. The Technical Services Division administers these responsibilities.

2. Information Technology

Like other organizations, the changeover to the year 2000 passed without incident. This was due, in large measure, to a systematic approach to software and hardware testing and, where necessary, modification or replacement.

The largest area of Y2K activity occurred in the database management area where date-sensitive systems had to be thoroughly tested. While the testing process was time consuming, actual programming changes necessary to ensure a smooth transition to the year 2000 were minimal.

The Commission's public web site continues to be a major development initiative. Online since 1997, the site continues to see a marked increase in the number of visitors.

During the year, significant time was invested in the development of on-line forms as well as the conversion of office consolidations of legislation and regulations relevant to the Commission to a format suitable to the Internet. Much of this work is completed. These and other documents can be located at www.irac.pe.ca

Development work is now underway to enable public access to information through the integration of the web site with certain internal database management systems. It is expected that elements of the Commission's Land Information System will be on-line in the summer of 2000.

3. Regulatory Highlights

Electric Utilities

Effective January 1, 1998, new Rate Schedules and Policies (RSP) Manuals have been in effect for Maritime Electric Company, Limited and the City of Summerside Municipal Electric Utility.

The policies established in the manuals — like the rates themselves — are based on those in effect in New Brunswick, and replace the *Prince Edward Island Electric Utilities General Rules & Regulations* formerly in effect.

In accordance with current legislative requirements, electric rates in Prince Edward Island are now established at 10% above the rates charged by NB Power in New Brunswick. The Commission monitors the rate and reliability levels of both Maritime Electric and the City Electric Utility.

Statistical reports provided in this section include information on operating costs and the distribution of sales for Maritime Electric and City of Summerside Electric.

Water and Sewerage Utilities

In response to applications for approval of system extensions, the Commission issued two permits for construction or amendments to utilities' systems during the reporting period. Work included service extensions in the Community

[2] The utilities operating in the cities of Charlottetown and Summerside and the towns of Stratford and Cornwall are exempt from the jurisdiction of the Commission.

of North Rustico and the Two of Kensington.

The low number of service extensions or upgrades this year appears to be related to the limited availability of grant money from the federal and provincial governments. It is expected that the availability of federal-provincial infrastructure development programs will increase during 2000-2001.

In 1997, the Commission adopted a new uniform system of accounts for water and sanitary sewerage utilities, including the implementation of new annual report forms. The first phase of the project saw eight utilities introduced to the new system. The remainder of the utilities were introduced to the new system in 1998-1999, including site visits to each utility to describe the changes being implemented. Work continues in this area and, with the odd exception, the new system of accounts has been well received by the utilities under the Commission's jurisdiction as well as the accounting community.

Numerous utility-related inquiries and complaints were also dealt with during this reporting period.

Revenue (Sales) Tax Appeals

In December of 1998, the Commission issued Order UT98-2 into preliminary matters respecting an appeal by Island Tel against a decision of the Provincial Tax Commissioner, dated March 27, 1997. The Order, which deals with the disclosure of documents by the Provincial Tax Commissioner to an appellant and the Commission on the filing of an appeal as well as the question of upon whom the onus rests to approve or disprove the validity of the assessment, was appealed to the P.E.I. Supreme Court, Appeal Division.

On July 12, 1999, the Appeal Division issued its findings. Among other things, the Supreme Court determined as follows:

The issue is whether, on an appeal to the Commission pursuant to s.10 of the ***Revenue Administration Act****, the person to whom a notice of assessment has been issued by the Provincial Tax Commissioner has the onus of disproving the notice of assessment.*

DISPOSITION

I would dismiss the appeal. The Commission was correct in ordering that the person to whom the notice of assessment has been issued has the onus of disproving the validity of the notice of assessment both as to imposition and amount.

The hearing of the substantive issues in the appeal was held on December 13, 14, 15, 16, and 17, 1999 with final briefs filed in early February 2000 and reply briefs filed in mid-February. The Commission's decision on the appeal is expected in May, 2000.

During the reporting period, an appeal that had been filed by GMAC Leaseco Limited against a decision of the Provincial Tax Commissioner dated May 11, 1998 was withdrawn. An appeal by Strait Corssing Bridge Limited against a decision of the Provincial Tax Commissioner, dated October 22, 1999 is currently being held in abeyance at the request of the Appellant. Another appeal filed by Patricia Nunn against a decision of the Provincial Tax Commissioner, dated November 29, 1999 is expected to be heared in May, 2000.

On April 20, 1999, the Commission issued Order UT99-02 into an appeal by Purple Parrot Holdings Ltd. The appeal centered on the question of whether charges styled as *coat check* charges and collected by the Appellant are effectively *admission charges* subject to tax pursuant to the Revenue Tax Act, R.S.P.E.I. 1988, Cap R-14 as amended. Following a hearing, the Commission dismissed the appeal.

Statistical information following in this section of the report is based, for the most part, on data for the calendar year 1999.

Summary of Orders Issued
1 April 1999 to 31 March 2000

Date	Order No.	Re:
Apr. 20/99	UT99-02	*Purple Parrot Holdings v. Provincial Tax Commissioner* An appeal against a decision of the Provincial Tax Commissioner, dated January 25, 1999. The appeal centered on the question of whether charges styled as coat check charges and collected by the Appellant are effectively *admission charges* subject to tax pursuant to the Revenue Tax Act, R.S.P.E.I. 1988, Cap R-14 as amended.

Selected Statistics Maritime Electric

FIGURE 1

Electricity Costs Compared to the Consumer Price Index
January 1, 1990 - March 31, 2000

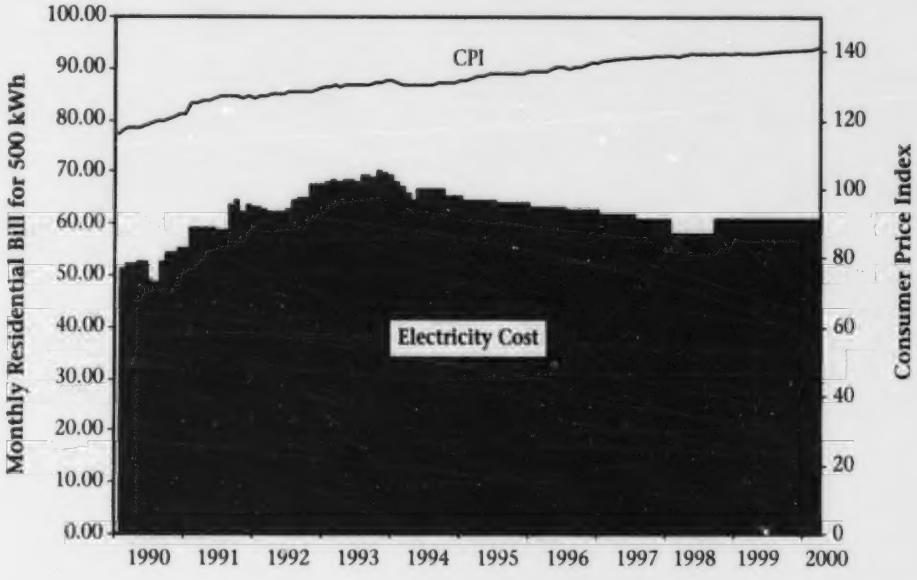


FIGURE 2

Selected Financial Data

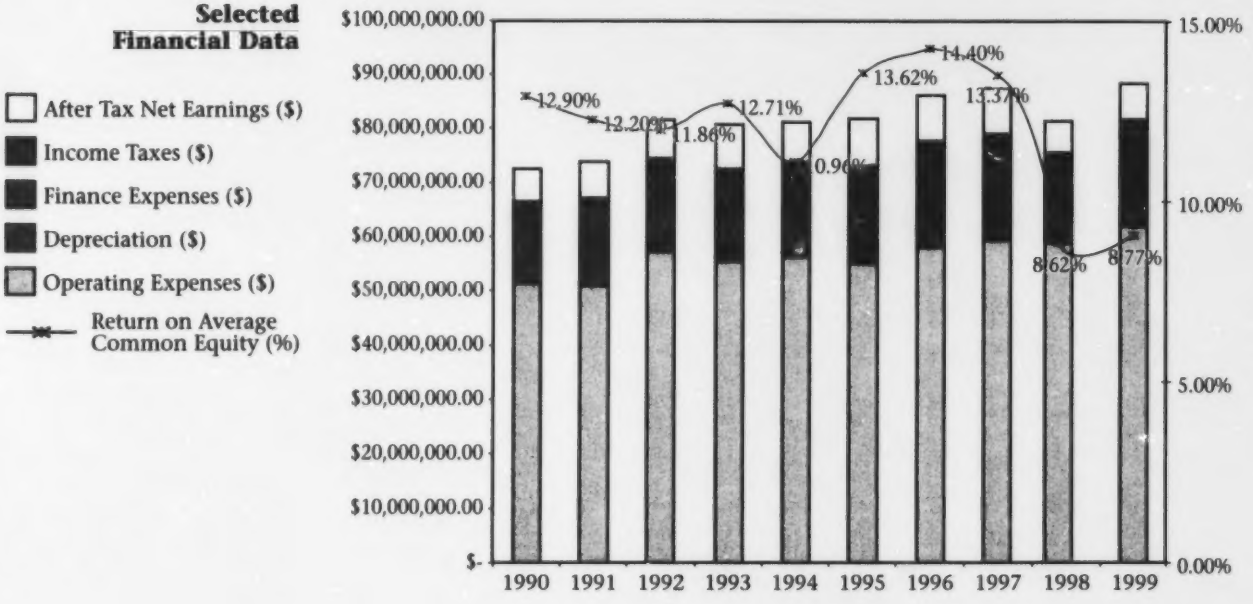
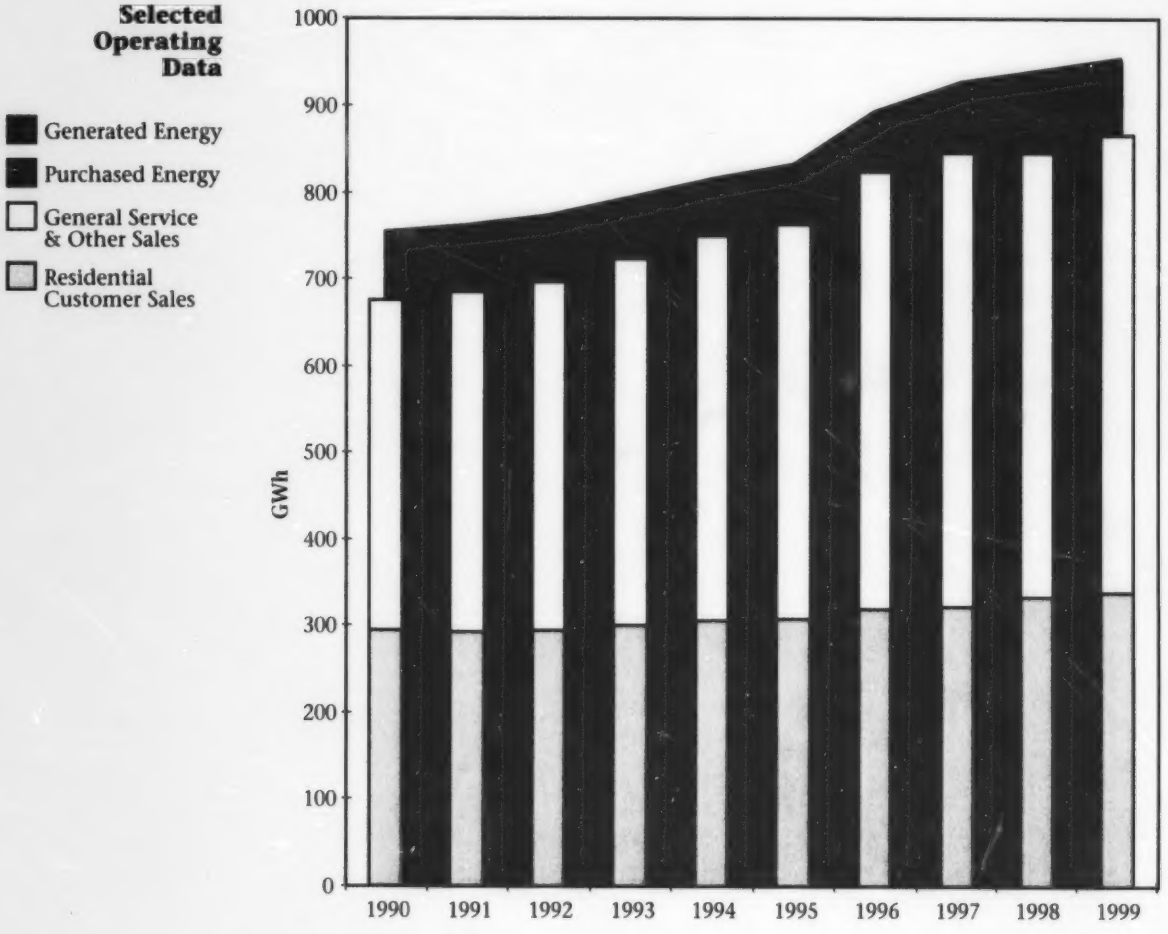


FIGURE 3

Selected Operating Data



Selected Statistics Summerside Electric

FIGURE 1

Electricity Costs Compared to the Consumer Price Index
January 1, 1990 - March 31, 2000

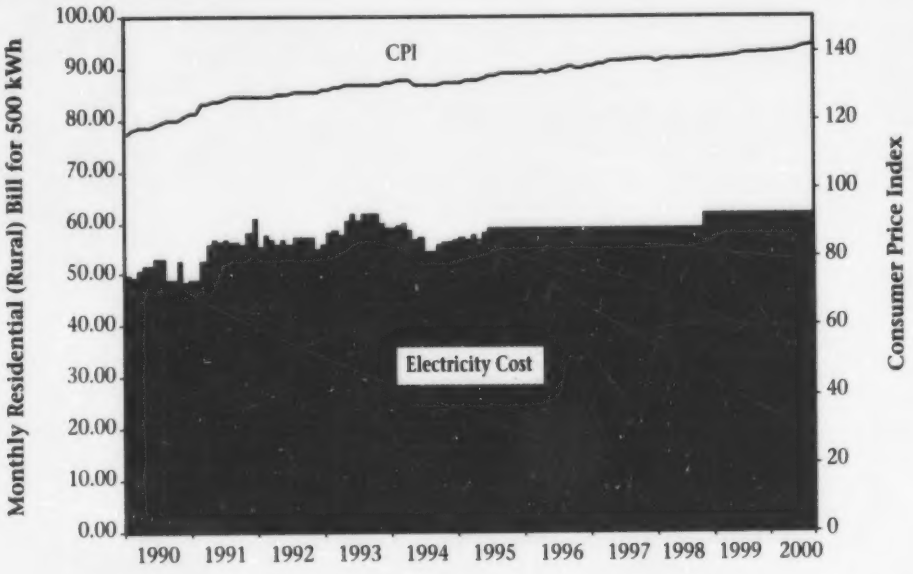


FIGURE 2

Selected Financial Data

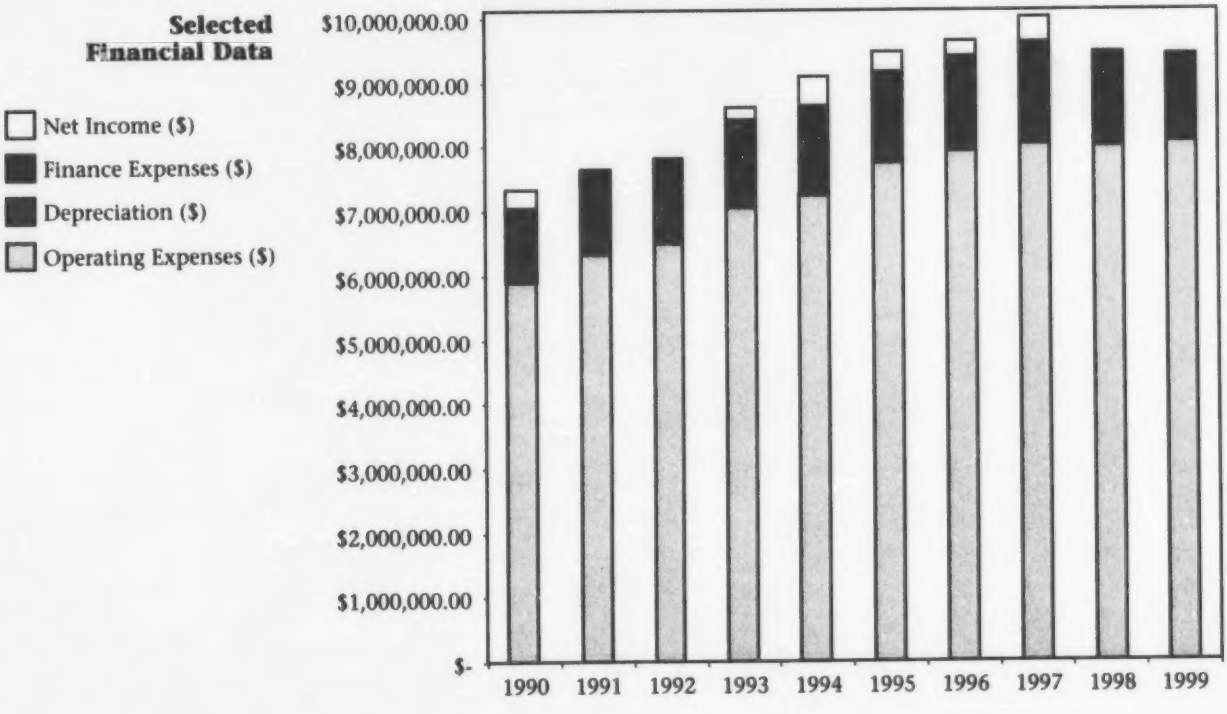
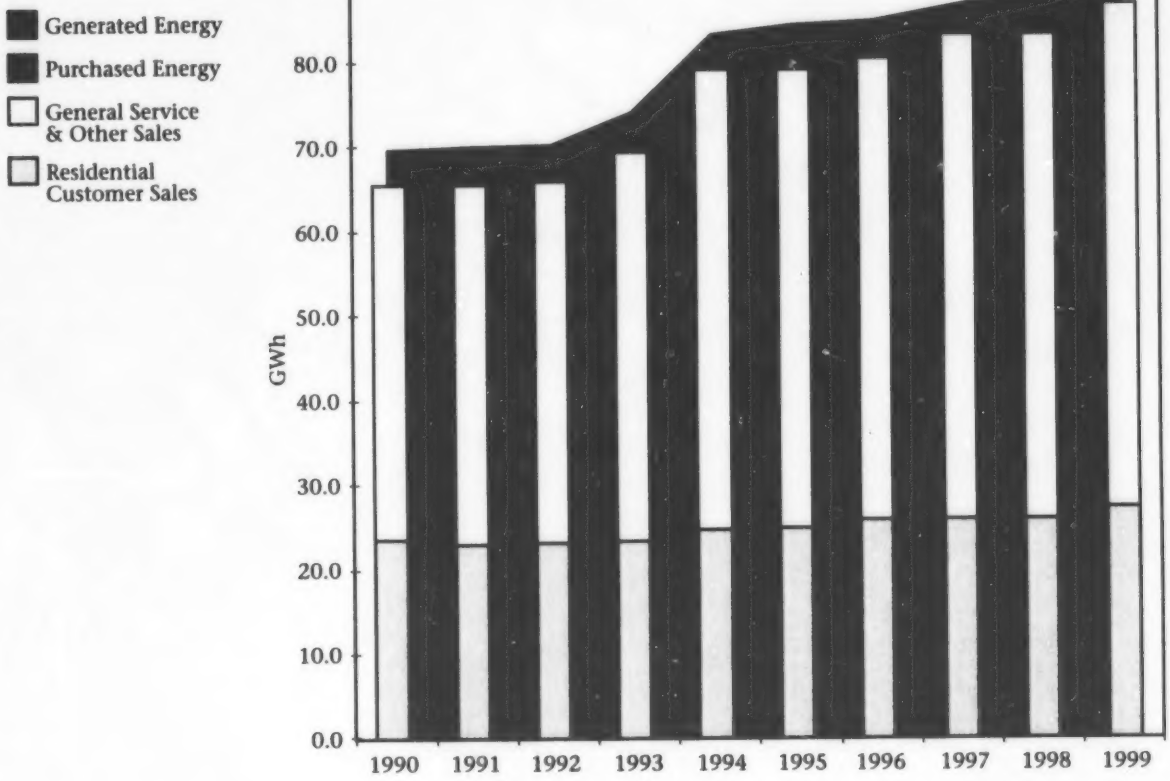


FIGURE 3

Selected Operating Data



Selected Statistics Municipal Water and Sewer Utilities

FIGURE 1

Current Single-Family Dwelling Charge Municipal Sewerage Utilities

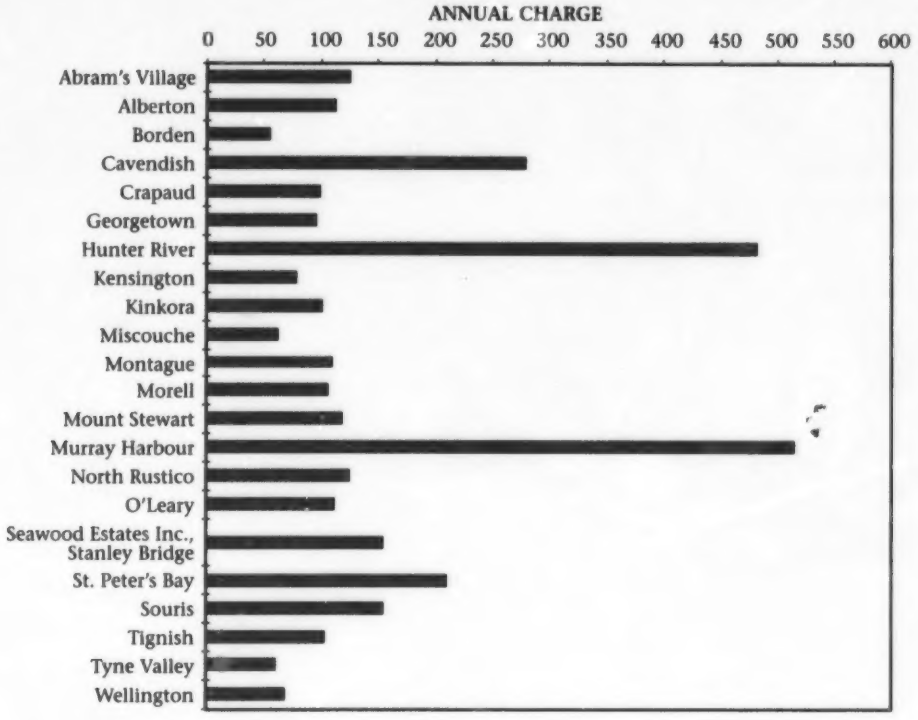


FIGURE 2

Current Single-Family Dwelling Charge Municipal Water Utilities

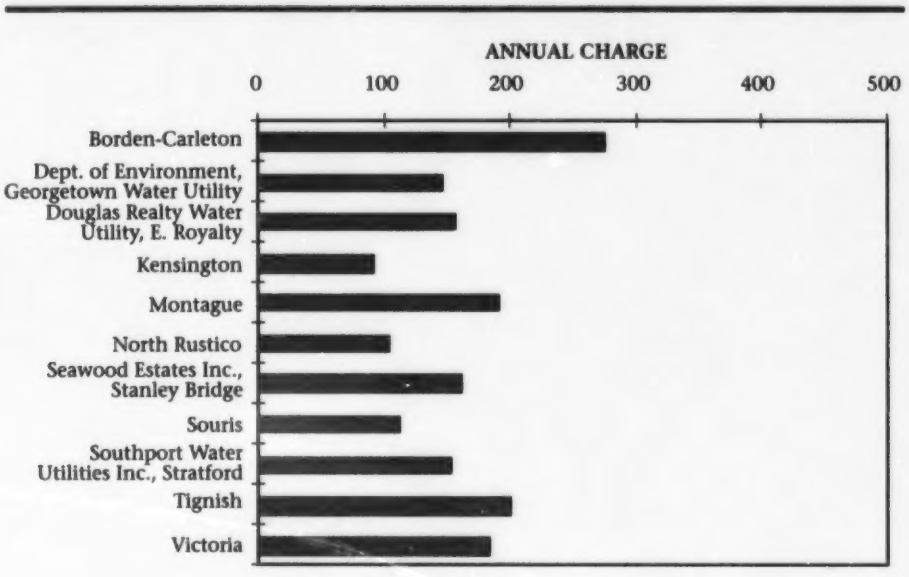
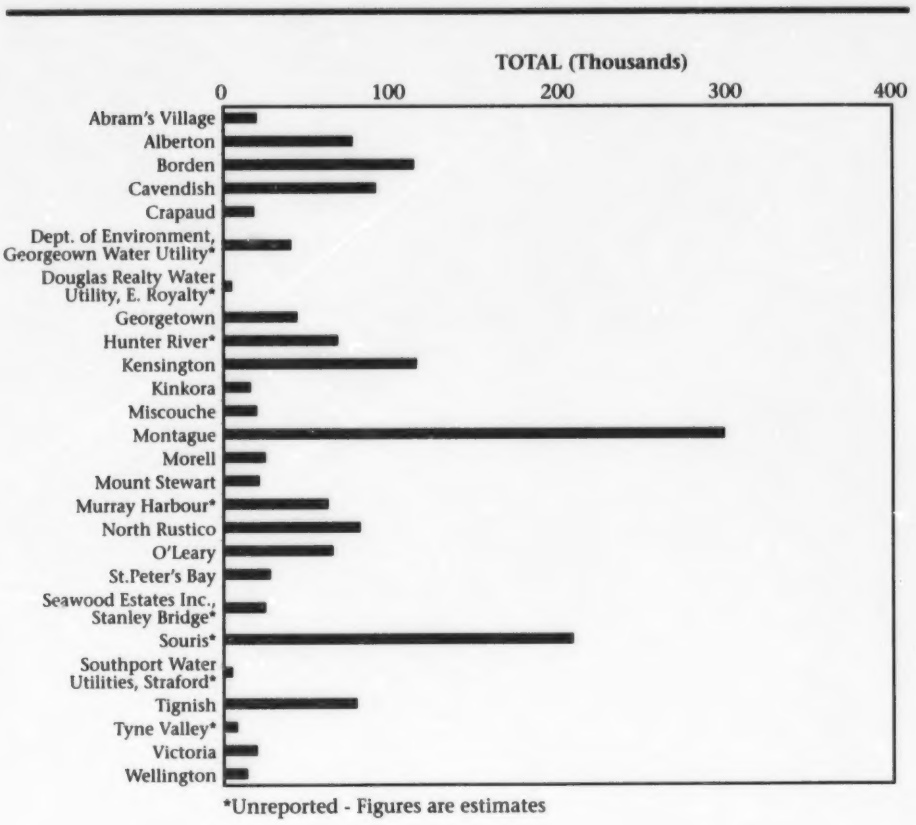


FIGURE 3

Municipal Water and Sewerage Utilities 1999 Total Revenues
(Population Under 7,000)



*Unreported - Figures are estimates